

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

RECEIVED

Administrative Law Judge Milton G. Kimpson

DEC 02 2022

SC Court of Appeals

ALC Case No. 21-ALJ-04-0292-AP
Appellate Case No. 2022-001001

Joseph McMorris, Jr., #264508.....Appellant,

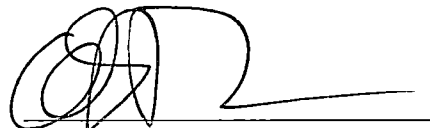
v.

South Carolina Department of Corrections.....Respondent.

MOTION TO FILE MOTION TO DISMISS OUT OF TIME

Comes now Respondent, through undersigned counsel, and requests leave to file its Motion to Dismiss out of time. Respondent received Appellant’s Notice of Change of Address and Initial Brief on October 11, 2022. The undersigned overlooked the brief and filed the documents as a change of address only. The undersigned apologizes to the Court and Appellant for this error.

In light of the foregoing, Respondent respectfully requests that this Court permit it to file the accompanying Motion to Dismiss out of time.



Annie Rumler
Deputy General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

November 28, 2022

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APPEAL FROM ADMINISTRATIVE LAW COURT

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Appellate Case No. 2022-001001

Joseph McMorris, Jr., #264508.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I have served Appellant a copy of Respondent’s Motion to Dismiss and Motion to File out of Time by depositing a copy of same in the United States Mail, postage prepaid, November 28, 2022, addressed to the Appellant as follows:

Joseph McMorris, Jr.
118 Edna Drive
Carlisle, SC 29031



Annie Rumler
Deputy General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

November 28, 2022



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Safety, Service, and Stewardship

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

November 28, 2022

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SC Court of Appeals


The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Reference: App. Case No.: 2022-00010001 (*Joseph McMorris, Jr., #264508*
v. South Carolina Department of Corrections)

Dear Madam Clerk:

Enclosed, please find the original and seven copies of Respondent's Motion to Dismiss and Motion to File Out of Time. Please clock-stamp one copy of each and return them to me in the enclosed self-addressed stamped envelope. Thank you.

Sincerely,



Annie Laurie Rumler

Enclosure

cc: Joseph McMorris, Jr.



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Office of General Counsel
4444 Broad River Road - P.O. Box 21787 - Columbia, SC 29221-1787

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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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Columbia, South Carolina 29211

