

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ADMINISTRATIVE LAW COURT

Honorable Carolyn C. Matthews

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Case No.: 12-ALJ-04-0115-AP

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Richard Ridley, #285091.....Respondent,

v.

South Carolina Department of Corrections.....Appellant.

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**RECEIVED**

JUN 06 2013

**SC Court of Appeals**

**MOTION TO FILE APPELLANT'S  
FINAL BRIEF AND RECORD ON APPEAL OUT OF TIME**

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COMES NOW, APPELLANT, South Carolina Department of Corrections,  
and hereby petitions the Court to file its Final Brief and Record on Appeal out of time  
for the following reasons:

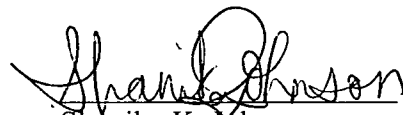
- (1) Appellant's appeal arises from Respondent's disciplinary conviction for possession of any cell phone or other communication device, which Respondent appealed to the Administrative Law Court. Administrative Law Court Judge Carolyn C. Matthews reversed Respondent's conviction. This appeal followed.
- (2) On February 21, 2013, Appellant deposited its Final Brief and Record on Appeal in the United States mail.
- (3) However, in letters dated March 22, 2013, this Court informed Appellant that both the Final Brief and the Record on Appeal contained deficiencies that needed to be corrected within ten (10) days of the letters.
- (4) Due to the weekend, the subsequent holiday (office closed), and Appellant's attorney on record being out of the office for another case, Appellant was

unable to comply with the ten (10) day limit for submitting the corrected documents.

- (5) Respondent will not be prejudiced in any way by the Court granting Appellant's Motion.
- (6) Appellant South Carolina Department of Corrections respectfully requests that this Honorable Court allow it to file a Final Brief and Record on Appeal out of time.

WHEREFORE, Appellant respectfully requests that this Motion to File Final Brief and Record on Appeal Out of Time be granted.

Respectfully submitted,



Shanika K. Johnson  
Staff Attorney  
S.C. Dept. of Corrections  
P.O. Box 21787  
Columbia, SC 29221  
Attorney for Appellant

June 5, 2013

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In The Court of Appeals

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Honorable Carolyn C. Matthews

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**CERTIFICATE OF SERVICE**

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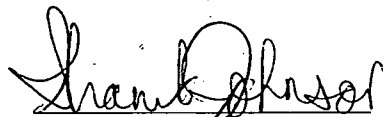
I hereby certify that I have served a copy of the foregoing Motion to File Final Brief and Record on Appeal Out of Time to Respondent by depositing a copy of same in the United States Mail, postage prepaid, on June 5, 2013 addressed to the Respondent as follows:

Richard Ridley, #285091  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899

**RECEIVED**

JUN 06 2013

**SC Court of Appeals**



Shanika K. Johnson  
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