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**Apr 24 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Ralph K. Anderson, III

ALC Case No. 19-ALJ-04-0492-AP-A  
Appellate Case No. 2022-001765

JAMES MILLHOLLAND, # 367569,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

**MOTION FOR EXTENSION OF TIME**

Appellant filed his Record of Appeal on April 17, 2023, which would place Respondent's Final Brief due on May 7, 2023. However, a deficiency letter has been issued. Respondent is hereby requesting a thirty-day extension in which to file its Final Brief. No previous extensions have been requested on behalf of Respondent for this Brief.<sup>1</sup> This extension request is not being made for the purpose of delay; instead, it is being made to ensure no deadlines are missed as the undersigned will be out of the country, returning to the office on May 15, 2023. Currently, the deadline for Respondent's deadline to file its Final Brief is not clear since Appellant's deficiency has not been corrected.

<sup>1</sup> One extension was requested and granted for the filing of Respondent's Initial Brief.

**WHEREFORE**, Respondent respectfully requests that this Court extend the deadline for the service and filing of the Final Brief of Respondent in this case by thirty days from the date such relief is granted and hold the matter in abeyance pending a ruling this motion.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS**



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**KENSEY EVANS**  
Deputy General Counsel  
Office of General Counsel  
S.C. Department of Corrections  
Post Office Box 21787  
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(803) 896-8508

**ATTORNEY FOR RESPONDENT**

April 24, 2023

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RESPONDENT.

**CERTIFICATE OF SERVICE**

Undersigned counsel hereby certifies that on today's date, she mailed a copy of the **Motion for Extension of Time** to Appellant via U.S. Mail addressed as follows: **James Millholland, # 367569**, Allendale Correctional Institution, COA-0008-A, 1057 Revolutionary Trail, Fairfax, South Carolina, 29827.



**KENSEY EVANS**

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**ATTORNEY FOR RESPONDENT**

April 24, 2023



**SOUTH CAROLINA**  
DEPARTMENT OF CORRECTIONS  
*Safety, Service, and Stewardship*

HENRY McMASTER, Governor  
BRYAN P. STIRLING, Director

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**SC Court of Appeals**

OFFICE OF GENERAL COUNSEL

April 24, 2023

The Honorable Jenny A. Kitchings  
Clerk of Court, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE: James Millholland, #367569, v. South Carolina Department of Corrections**  
**Appellate Case No. 2022-001765**

Dear Ms. Kitchings:

Enclosed is the original Respondent's **Motion for Extension of Time**, along with **Proof of Service**, in the above captioned appeal. Please file with the Court and return to me a clocked stamped copy of each.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Kensey Evans  
Deputy General Counsel  
South Carolina Department of Corrections

cc: James Millholland, 367569  
Allendale Correctional Institution  
COA-0008-A  
1057 Revolutionary Trail  
Fairfax, SC 29827