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THE STATE OF SOUTH CAROLINA
In the Supreme Court

S.C. SUPREME COURT

Appeal from the South Carolina Department of Corrections

Supreme Court Appellate Case No. 2024-000224

Francis Ackerman #266928, Tyrone Aiken #244428, Tyrone Aiken #248367, Malik Aljalil #219551, Linso Allen #269378, Frank Anderson #282800, Sherman Austin #300028, Henry Baker #263398, Quentin Baker #297868, Michael Baylor #265682, Jacob Beach #301270, Darryel Beasley #222388, Michael Benninger #264212, James Bogan #288111, Taurus Bowman #252745, Lazarus Brannon #227847, Ronald Brewer #285756, Frederick Brown #289602, Keith Brown #295762, Timothy Brown #238461, Edward Bryant #255998, Gary Bryant #258972, Pete Bryant #242370, Terrell Buchanon #277262, Douglas Bude #263537, Larry Burke #281911, Christopher Busch #300690, Michael Busques #191961, Richard Butler #162467, Thomas Butler #257552, Derek Carter #275938, Kenneth Carter #243538, Thomas Carter #249362, Rudy Cassady #238732, Leroy Choice #113990, Sheldon Clark #264772, Zawaski Cobb #187136, Baron Cobbs #280479, Kamathene Cooper #145333, Frank Corley #292975, Gladstone Cummings #267450, Patrick Curtis #175139, Quintin Daniels #196284, Curtis Davis #238776, Garry Davis #106144, Heyward Dempsey #134171, Phillip Denney #240678, Perry Deveaux #109601, Daniel Dewey #276678, Calvin Drummond #236322, Jerome Durham #270393, Paul Durham #219573, Harlan Edger #261866, Keith Eigner #299153, Willie Elder #246208, Rodney Elliott #251337, Anthony English #238474, James Enriquez #215539, Kirlan Etheredge #236635, Keith Eugene, unknown, James Evans #267837, David Feggins #287157, Bernard Felder #122099, Terry Ferguson #299080, Jose Flores #240563, James Foye #211523, Ray Gadsden #187527, Maxie Gamble #254413, Robert Garrett #291096, Jermaine Garriett #191274, Fred Gatewood #289775, Jammie Gaymon #208922, Reginald Geddis #183851, Marvin Gilbert #273934, Dennis Goff #177506, Charles Graham #294453, Richard Graham #228235, Gregory Grant #109656, Howard Grant #255473, Nehemiah Greene #243339, Gary Grooms #283860, Nelson Hampton #286427, Willie Hare #256641, Wayne Harlen #245705, David Harrell #260004, James Hartman #219770, Gary Hayes #263985, Johnny Hayes #267910, Steven Hickenbottom #196263, Johnny Holden #245199, Michael Hood #279897, Willie House #257820, Don Hughes #256862, Timothy Inman #151123, Chuck Jackson #266425, James Jackson #267718, Peter Jenkins #257321, Wilbur Jordan #272264, Alfred Joyner #260442, Keith Kelly

#257556, Joseph Kelsey #217218, Michael Key #266890, Dennis Knight #286981, Nick Lambros #215080, Alain Lareau #128014, Nikia Law #260855, Stephen Lease #137016, Archie Lee #226354, Harry Leonard #249996, Rick Libby #274681, Quintin Linen #238553, Raymond Livingston #277133, Donald Lyles #296135, Earl Mack #216237, Lavanza Mack #189340, Percy Martin #270035, Cedric Martino #291396, Donald McAteer #292961, Larry McClam #282972, Herbert McFadden #184297, James McFadden #235419, Michael McFarland #266870, Tony McNeil #235846, Thomas Miles #246763, Darrin Miller #259593, Ernest Miller #235474, Wilbert Mills #244004, Roy Morris #288777, John Moultrie #276527, Matin Muntaqim #142282, Anthony Murphy #295893, Anthony Murray #237867, James Murray #165487, Robert Norris #266101, Chauncy Orr #177069, Joe Pannell #89592, Frank Patterson #283098, Tony Pitts #280579, Kevin Poston #266083, Rodney Pressley #177947, Germaine Pringle #250390, Francis Prioleau #268813, Larkland Richards #281768, Gene Richardson #93614, Isaac Richardson #232574, Laron Richardson #258786, Dennis Richey #233472, Ignacio Rivera #300424, Henry Rivers #219118, Harold Roberson #117001, Donald Robinson #277520, Darrell Rochester #146731, Vandell Sanders #241308, James Sattler #235043, Joseph Schmitz #173987, Arthur Scott #251957, Isaiah Scott #228008, Jerome Scott #153381, Roosevelt Scott #275631, Ralph Sellers #164295, George Shine #292391, Archie Simmons #161419, Kenneth Simmons #278911, Ronald Simmons #267937, Samuel Simmons #302393, Stephane Simmons #300422, Edward Simpson #220017, Virgil Simpson #281888, David Sims #278067, Jonathan Singleton #287670, Kevin Smith #272440, Robert Smith #199324, Timothy Smith #296539, Jeffrey Spears #281697, Alvin Stewart #278595, Jeff Stinson #260047, Jeffrey Tevis #216442, William Thomas #272501, Curtis Thompson #266448, James Tino #145030, James Trumper #247429, James Wells #180458, Ray Wells #173651, Demetrius Wheeling #264976, Kenneth White #228409, Bobby Williams #261486, Darrell Williams #219730, Derrick Williams #272958, James Williams #282929, Leon Wilson #155867, Timothy Wilson #261971, Tony Witt #242918, John Wojcik #219463, Anthony Wright #199009, Robert Wydman #260331, Eric Youmous #281091, Rogelio Zavala #245106, Petitioners,

v.

South Carolina Department of Corrections, Respondent.

**MOTION BY THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
TO EXTEND THE DEADLINE BY WHICH IT MAY FILE ITS RETURN
TO THE PETITIONERS' PETITION FOR WRIT OF CERTIORARI**

The Respondent in the above-styled matter, the South Carolina Department of Corrections [SCDC], by and through its undersigned counsel, respectfully moves for a 14-day extension of the deadline by which it may file its return to the petition for writ of certiorari filed by the Petitioners.

The petition for writ of certiorari, its appendix, and its associated proof of service are all dated Friday, February 16, 2024. Consequentially, SCDC's return is, by operation of South Carolina Appellate Court Rule 242(f), due Monday, March 18, 2024. For the reasons articulated below, however, SCDC's undersigned counsel respectfully moves for an extension of the deadline to file SCDC's return from Monday, March 18, 2024 until Monday, April 1, 2023.

Due to the Presidents' Day holiday on Monday, February 19, 2024, and an on-going problem with postal service at his Columbia office, SCDC's undersigned counsel did not receive the petition, appendix, and proof of service, despite the Petitioners' counsel mailing them on February 16, 2024, until Wednesday, February 21, 2024.

Moreover, SCDC's undersigned counsel has confronted activity in other matters, as well as deadlines by which to provide discovery materials in cases pending in state court, during and since the week beginning Monday, February 26, 2024.

Accordingly, SCDC's undersigned counsel respectfully urges the Court to grant his instant motion and extend the deadline by which SCDC may file and serve its return in the instant matter from today, March 18, 2024 until no later than Monday, April 1, 2024.

RESPECTFULLY SUBMITTED:

s/Lake E. Summers

Lake E. Summers

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Department of Corrections

Columbia, South Carolina

March 18, 2024

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