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Apr 10 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Hon. Sebastian P. Lenski, Administrative Law Judge

Case No. 2023 – 001291

John Garvin..... Appellant,

v.

South Carolina Department of Corrections Respondent.

**PETITION TO EXTEND TIME
TO FILE RECORD ON APPEAL**

To: Ms. Christina Catoe Bigelow, SCDC General Counsel, Attorney for Respondent.

I, John Garvin, proceeding as Pro-se, and pursuant to Rule – 263(b), SCACR, would respectfully moves this court for an extension of thirty (30) days in which to file Appellant’s Record on Appeal in this case. This motion is made because Appellant has not received back from a family friend, Alan Lilly, who is assisting with the drafting and copying of the record on appeal, has yet to receive the documents that I, the Appellant has mailed to him from the Ridgeland Correctional Institution. The Appellant now moves that the time for filing, be extended to May 10, 2024. This motion is made because the Appellant has not properly obtained all the necessary documents for his Record on Appeal within the allotted time for the following reasons:

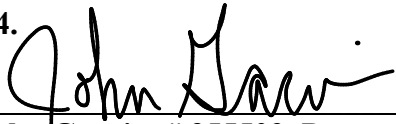
1. Appellant’s record on appeal is currently due to be served and filed with the Court on April 10,

2024.

2. Appellant has mailed out the contents of his record on appeal to a family friend, Alan Lilly, that has been assisting Appellant with the drafting and copying of his legal filings and documents in this matter, which he has yet to receive the contents of all the matter that is designated to be included in the record on appeal. That was mailed out on or about March 26, 2024, and is to be filed in this Court on April 10, 2024, is believed to have been lost in the mail.
3. Appellant is currently trying to regain those documents that are believed to have been lost in the mail.
4. Appellant states that given the above-mentioned circumstances, of trying to regain the documents that are believed to have been lost in the mail, warrants this Court to grant an extension.
5. Appellant makes this request in good faith and not for the purpose of delay.
6. Good cause exists for the granting of this petition for extension of time to file record on appeal, for the reasons stated above. Appellant's needs more time re-acquire back all the necessary documents to be included in the record on appeal.

WHEREFORE, the Appellant herein, as result of the record on appeal, documents being lost in the mail, Appellant would respectfully request an additional thirty-day extension, in which to file the record on appeal in this case based upon the above circumstances. The Appellant will require additional time to obtain the necessary documents to be included in the record on appeal.

RESPECTFULLY SUBMITTED this 10th day of April, 2024.



John Garvin, # 355509, Pro-se.
Ridgeland Correctional Institution
P.O. Box # 2039
Ridgeland, S.C. 29936

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Sebastian P. Lenski, Administrative Law Judge

Appellate Case No. 2023 – 001291

John Garvin..... Appellant,


v.

South Carolina Department of Corrections Respondent.

CERTIFICATE OF SERVICE

I, John Garvin, certify that I have serve a **PETITION TO EXTEND TIME TO FILE RECORD ON APPEAL**, on the Court to be delivered by via e-mail on April 10, 2024, addressed to the Hon. Jenny A. Kitching, Clerk of S.C. Court of Appeals, at e-mail: ctappfilings@sccourts.org; and delivered by via United States First Class Postage Priority Mail on April 10, 2024, addressed to Ms. Christina Catoe Bigelow, of SCDC Office of General Counsel, P.O. Box # 21787, Columbia, S.C. 29221-1787.

DATED: April 10, 2024



**John Garvin , # 355509, Pro-se.
Ridgeland Correctional Institution
P.O. Box # 2039
Ridgeland, S.C. 29936**