

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Administrative Law Judge Deborah Brooks Durden

Case No. Docket No.: 11-ALJ-04-0010-AP

Clarence Sampson, #208957.....Appellant,

v.

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

**MOTION TO COMPEL SUPPLEMENTATION OF THE
RECORD ON APPEAL**

Comes now, respondent, the South Carolina Department of Corrections, and requests that this Honorable Court ORDER appellant to supplement the record on appeal such that it contains all materials designated by the parties. In support of this request, respondent shows this Honorable Court the following:

1. On May 31, 2013, appellant served respondent a copy of the Record on Appeal which did not contain several items listed in respondent's Designation of Matter. Specifically, the following items were not included:
 - a. The Maxout Date Calculation Worksheet signed April 20, 2011
 - b. Record of Inmate Disciplinary History printed December 7, 2010.
 - c. History of EWC Assignments printed December 7, 2010
 - d. History of EEC Assignments printed December 7, 2010

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Court of Appeals

2. Rule 210(c), SCACR, provides in part that, "The Record on Appeal shall include all matter designated to be included by any party under Rule 209."
3. Appellant has clearly not complied with the rules of this Honorable Court.
4. Respondent has cited to the materials appellant omitted from the Record in its Initial Brief. To file a Final Brief, respondent must have a Record on Appeal containing complete copies of all items respondent listed in its Designation of Matter.

WHEREFORE, respondent respectfully requests that this Honorable Court ORDER appellant to supplement the Record on Appeal with the above listed materials.

Respondent further requests that this Honorable Court ORDER that the final briefs shall be served and filed within twenty days of service of the supplemented Record on Appeal.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS

Attorney for Respondent



Christopher D. Florian
Deputy General Counsel
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, SC 29221-1787
Attorney for Respondent

Columbia, SC
June 6, 2013

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CERTIFICATE OF SERVICE

I hereby certify that I have served Appellant a copy of Respondent's Motion to Compel Supplementation of the Record on Appeal by depositing a copy of same in the United States Mail, postage prepaid, on June 6, 2013, addressed to the Appellant as follows:

Mr. Clarence Sampson
218 Cleveland Street
Winnsboro, SC 29180



Christopher D. Florian
Deputy General Counsel
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, SC 29221-1787
Attorney for Respondent



NIKKI R. HALEY, Governor
WILLIAM R. BYARS, JR., Director

June 6, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

Re: Clarence Sampson, # 208957 v. SCDC
Case Tracking No.: 2012206766

Ms. Kitchings,

Please find enclosed an original and seven copies of the following:

- Motion to Compel Supplementation of the Record on Appeal

Please stamp the extra copy "filed" and return it in the enclosed self-addressed stamped envelope. Please do not hesitate to contact me with any questions. We greatly appreciate your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Florian", is written over a horizontal line.

Christopher D. Florian
Attorney for Respondent

cc: Mr. Clarence Sampson
218 Cleveland Street
Winnsboro, SC 29180

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