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Jun 04 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Ralph King Anderson, III

ALC Case No. 22-ALJ-04-0347-AP
Appellate Case No. 2024-000158

JOHN J. MUNN, # 226509,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

**MOTION TO FILE OUT OF TIME
AND
MOTION TO HOLD CASE IN ABEYANCE**

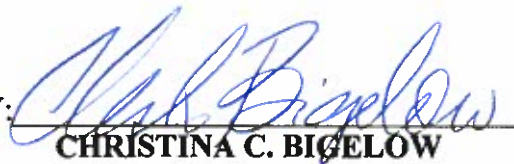
It came to the undersigned's attention this afternoon that Respondent's Initial Brief and Designation of Matter are overdue. Undersigned counsel has no record of actually receiving Appellant's Initial Brief and Designation of Matter, and consequently, the due date for Respondent's Initial Brief was not calendared. That being said, the Office of General Counsel has received a communication from Appellant requesting settlement negotiations to resolve this matter. Respondent respectfully requests that this Court accept this filing out of time, and also

respectfully requests that this case be held in abeyance for a period of sixty (60) days to allow good faith settlement negotiations to occur.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

BY:



CHRISTINA C. BIGELOW
Deputy General Counsel
Office of General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

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RESPONDENT.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on today's date, she mailed a copy of the Respondent's **Motion to File Out of Time and Motion to Hold Case in Abeyance** to Appellant via U.S. Mail addressed as follows:

John J. Munn, # 226509
Tyger River Correctional Institution
Unit 7, Room 228
200 Prison Road
Enoree, South Carolina 29335



Christina C. Bigelow
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221

June 4, 2024



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Division of Legal Counsel & Compliance

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

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SC Court of Appeals

June 4, 2024

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


RE: John J. Munn, # 226509 v. South Carolina Department of Corrections
Appellate Case No. 2024-000158

Dear Ms. Kitchings:

Enclosed please find Respondent's **Motion to File Out of Time** and **Motion to Hold Case in Abeyance** in the above referenced matter, along with **Proof of Service**. A copy of the same is being mailed to Appellant today.

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

Sincerely,


Christina Catoe Bigelow
Deputy General Counsel
South Carolina Department of Corrections
S.C. Bar No. 73562

cc: John J. Munn, # 226509
Tyger River Correctional Institution
Unit 7, Room 228
200 Prison Road
Enoree, South Carolina 29335