

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

RECEIVED

APPEAL FROM THE ADMINISTRATIVE LAW COURT

JUN 13 2024

Robert L. Reibold, Administrative Law Judge

SC Court of Appeals

Appellate Case No. 2024-000560

Charles Madden, #182326,.....Appellant,

v.

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

MOTION FOR EXTENSION OF TIME

Charles Madden, the above named Appellant, proceeding in this matter Pro Se, would respectfully move this Honorable Court, pursuant to Rule 240, SCACR, for an Order Granting Appellant an Extension of Time in which to file and serve his Initial Brief and Designation Of Matter To Be Included In The Record On Appeal, in the above captioned case.

On April 3, 2024, Appellant, filed a Notice of Appeal, Motion To Proceed In Forma Pauperis and Affidavit Of Indigency with the Clerk of the S.C. Court of Appeals and served same upon the above Respondent and the Clerk of the ADministrative Law Court. It appears that the Court of Appeals received the above documents and file-stamped same on April 8, 2024.

On April 30, 2024, Appellant filed a Motion To Remand and served same upon the above Respondent's counsel of record.

On May 23, 2024, the Court DENIED Appellant's Motion To Remand.

On May 23, 2024, the Court GRANTED Appellant's Motion To Proceed In Forma Pauperis in a one page Order received by Appellant on May 29, 2024.

Appellant is unsure as to the date that he is required to file an Initial Brief and Designation Of Matter To Be Included In The Record On Appeal since he filed the Motion To Remand on April 30, 2024, that Motion Contained the bulk of Appellant's argument for why he should be granted relief, and, the Appellant was waiting for a decision on that Motion, as well as an Order from the Court authorizing him to proceed In Formal Pauperis, which he did not receive until May 29, 2024.

Appellant respectfully requests that this Court Grant Appellant thirty (30) days from the date of the Court's Order Granting this Motion, should the Court decide to do so, in which to file an Initial Brief, Designation Of Matter To Be Included In The Record On Appeal and any other documents in this matter.

In support of this Motion, Appellant would respectfully show this Honorable Court the following:

1. Appellant did not have authorization to proceed in this matter until he received an Order from the Court GRANTING his Motion To Proceed In Forma Pauperis. Appellant requested in his Motion To Remand, for this Court to hold this case in abeyance and issue other orders extending the time for any further filings until after this court ruled on Appellant's Motion To Proceed In Forma Pauperis, which went unanswered. Motion To Remand p. 4.;

2. Appellant is a layman in these type matters, the issues are complex to him and he needs more time to conduct research regarding the Statutes and cases cited by the Honorable Judge Reibold, and more time to prepare his Designation Of Matter To Be Included In The Record On Appeal;

3. Appellant's access to an adequate Law Library is limited whereas although the Westlaw App on Tablets issued by SCDC may be used, there are numerous problems with the tablet. For example, it provides messages such as, "This material has Been Restricted," even though prevailing wage cases such as the Wicker case are not restricted, or, the Server goes down, the Wi-Fi goes out or Appellant is unable to log in for hours;

4. This Motion For Extension Of Time is not being sought as a delay tactic and the Respondent will not be prejudiced if this Court grants this motion;

5. Appellant Declares under penalty of perjury that the foregoing facts are true and correct, except those facts stated upon information and belief and as to those facts, Appellant believes them to be true.

WHEREFORE, Appellant PRAYS that this Honorable Court Extend the Time for Filing his Initial Brief and other documents by thirty (30) days, and, that this Honorable Grant such other and further relief this Court deems fair and just.

Respectfully Submitted,

June 5, 2024
Fairfax, South Carolina

Charles madden
Charles Madden, #182326
Allendale Corr., Inst., F3-B54
1057 Revolutionary Trail
Fairfax, SC 29827

Appellant, Pro Se

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

CERTIFICATE OF SERVICE

I, Charles Madden, herein CERTIFY under penalty of perjury that I have on this date, served a Motion For Extension Of Time, in the above captioned case, upon the above Respondent, by depositing a copy of same into the U.S. Mail, First Class Postage prepaid, addressed to:

S.C. Dep't of Corrections
Attn: Barton J. Vincent, Esq.
Office of General Counsel
P.O. Box 21787
Columbia, SC 29221-1787

June 5, 2024
Fairfax, South Carolina

Charles Madden
Charles Madden, #182326
Allendale C.I., F3 B-54
1057 Revolutionary Trail
Fairfax, SC 29827

Appellant, Pro Se

Charles Madden, #182326
Allendale Corr., Inst., F3 B-54
1057 Revolutionary Trail
Fairfax, SC 29827

June 5, 2024

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SC Court of Appeals

Hon. Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Charles Madden v. S.C. Dep't of Corrections
Appellate Case No. 2024-000560
Motion For Extension Of Time and,
Certificate of Service

Dear Ms. Kitchings:

Enclosed for filing in the above referenced matter, please find a Motion For Extension Of Time and Certificate of Service of same upon the above Respondent.

Also enclosed, please find a copy of each of the above documents that I ask you to please file stamp and return to me for my records, if you would please do so. I have enclosed a self addressed, postage prepaid envelope for your convenience.

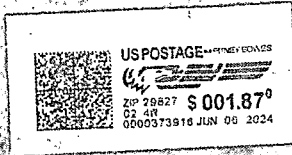
As always, I thank you in advance for your assistance in this matter.

Sincerely & Respectfully,

Charles Madden
Charles Madden

cc: Barton J. Vincent, Esq.
FILE

Charles Madden #182306
Allendale Corr. Inst. F3 B-54
1057 Revolutionary Trail
Fairfax, SC 29827



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S.C. Court of Appeals
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