

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Francis Ackerman, #266928, Malik Aljalil, #219551,  
Linso Allen, #269378, Michael Benninger, #264212,  
Frederic Brown, #289602, Timothy Brown, #238461,  
Terrell Buchanon, #277262, Christopher Buch, #200690,  
Rudy Cassady, #238732, Sheldon Clark, #264772,  
Zawaski Cobb, #187136, Kamathene Cooper, #145333,  
Gladstone Cummings, #267450, Patrick Curtis, #175139,  
Quintin Daniels, #196284, Curtis Davis, #238776,  
Heyward Dempsey, #134171, Phillip Denney, #240678,  
Paul Durham, #219573, Jerome Durham, #270393, Keith  
Eigner, #299153, Bernard Felder, #122099, Jermaine  
Garriett, #191274, Fred Gatewood, #289775, Dennis  
Goff, #177506, Gregory Grant, #109656, Nelson  
Hampton, #286427, James Hartman, #219770, Gary  
Hayes, #263985, Michael Hood, #279987, Nikia Law,  
#260855, Stephen Lease, #137016, Harry Leonard,  
#249996, Herbert McFadden, #184297, Michael  
McFarland, #266870, Earl Mack, #216237, John Moultri,  
#276527, Matin Muntaqim, #266870, Tony Pitts,  
#280597, Germaine Pringle, #250390, Gene Richardson,  
#93614, Dennis Richey, #233472, Ignacio Rivera,  
#300424, Vondell Sanders, #241308, James Sattler,  
#235043, Joseph Schmitz, #173987, Arthur Scott,  
#251957, Jerome Scott, #153381, Roosevelt Scott,  
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James Bogan, #288111, Larry Burke, #281911, Jammie  
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Miles, #246763, Chauncy Orr, #177069, Isaiah Scott,

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Samuel Simmons, #302393, William Thomas, #272501,  
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#244428, Tyrone Aiken, #248367, Frank Anderson,  
#282800, Ronald Brewer, #285756, Keith Brown,  
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Richard Graham, #228235, Gary Grooms, #283860,  
Wayne Harlan, #245705, Johnny Hayes, #267910,  
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Martino, #291396, Donald McAteer, #292961, Robert  
Wydman, #260331, Anthony Wright, #214007, Derrick

Williams, #272958, Kenneth White, #228409, James Trumper, #247429, Jeffrey Spears, #281697, Timothy Smith, #296539, Davis Sims, #278067, Virgil Simpson, #281888, Edward Simpson, #220017, Kenneth Simmons, #278911, George Shine, #292391, Ralph Sellers, #164295, Laron Richardson, #258786, Frank Patterson, #283098, Tony McNeil, #235864, Larry McClam, #282972, Lavanza Mack, #189340, Raymond Livingston, #277133, Nicholas Lambrose, #215080, Joseph Kelsey, #217218, Keith Eugene, no number, Chuck Jackson, #266425, James Foye, #211523, Timothy Inman, #151123, Marvin Gilbert, #273934, Demetrius Wheeling, #264976, Leon Wilson, #155867, Jeffrey Tevis, #216442, Darryel Beasley, #222388, Curtis Thompson, #266448, Baron Cobbs, #280479, James Tino, #145030, Harold Roberson, #117001, Ray Gadsen, #187527, Tony Witt, #242918, Jonathan Singleton, #287670, Joe Pannell, #89592, Charles Graham, #294453, Lazarus Brannon, #227847, Darrell Williams, #219730, Wilbert Mills, #244004, Howard Grant, #255473, Timothy Wilson, #261971, Rodney Elliott, #251337, Henry Rivers, #219118, Appellants,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-210588

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**RESPONDENT'S MOTION FOR AN EXTENSION OF TIME  
BY WHICH IT MAY FILE ITS INITIAL BRIEF AND  
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

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By correspondence to counsel which accompanied an order issued September 16, 2013, this Court advised the undersigned counsel for the Respondent, the South Carolina Department of Corrections, that the Respondent's initial brief and designation of matter to be included in the record on appeal are due October 16, 2013.

For the reasons stated below, the Respondent, by and through its undersigned counsel, respectfully moves this Court to extend the deadline by which it must file its initial brief and

designation of matter to be included in the record on appeal until Monday, November 4, 2013.

The Respondent's undersigned counsel so moves in light of activity in other cases in which they have recently been engaged. For example, the Respondent's undersigned counsel must file expert witness designations on behalf of all defendants by today, October 14, 2013, in a matter pending in federal court styled as *Ashley Reeves v. Town of Cottageville, The Town of Cottageville Police Department, and Randall Price*, Civil Action No. 2:12-cv-02765-DCN.

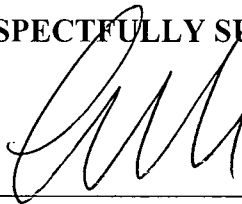
Additionally, the Respondent's undersigned counsel faces a deadline of October 16, 2013 by which they must provide rather voluminous discovery responses on behalf of their clients in another matter pending in federal court styled as *Wendi B. Nance v. University of South Carolina, Michelle Dodenhoff & Elaine Delk*, Civil Action No. 3:13-1803-CMC-JDA.

Furthermore, the Respondent's undersigned counsel, by virtue of activity which occurred on Friday, October 11, 2013, now faces a deadline of Monday, October 21, 2013, to file materials in a matter this Court recently remanded back to the Administrative Law Court, *Fred Gatewood, #289775 v. S.C. Dep't of Corr.*, ALC Docket No. 07-ALJ-04-0517-AP.

The Respondent's undersigned counsel respectfully advises this Court that they recently consulted with the Appellants' counsel, and the Appellants' counsel does not object to the instant motion by which the Respondent's counsel seeks an extension of their deadline by which to file the Respondent's initial brief and designation of matter.

Therefore, the Respondent's undersigned counsel respectfully urges this Court to grant their instant motion, and, accordingly, the Respondent's undersigned counsel respectfully urges this Court to extend the deadline by which the Respondent must file its initial brief and designation of matter to be included in the record on appeal in the instant matter until Monday, November 4, 2013.

RESPECTFULLY SUBMITTED,



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Lake E. Summers

Katherine A. Phillips

**Malone, Thompson, Summers & Ott LLC**

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Columbia, South Carolina 29201

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[phillips@mtsolvlawfirm.com](mailto:phillips@mtsolvlawfirm.com)

Counsel for Respondent

Columbia, South Carolina  
October 14, 2013

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Ralph King Anderson, III, Chief Administrative Law Judge

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v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-210588

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**PROOF OF SERVICE**

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I certify that I have served the **RESPONDENT'S MOTION FOR AN EXTENSION OF TIME BY WHICH IT MUST FILE ITS INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** upon the above-named Appellants by mailing a copy of their counsel, first class postage pre-paid, at the following address:

Douglas H. Westbrook, Esquire  
Attorney at Law  
23 Broad Street  
Charleston, South Carolina 29401

October 14, 2013

A handwritten signature in cursive script, appearing to read "Lake E. Summers", positioned above a horizontal line.

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LAKE E. SUMMERS