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Mar 20 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Crystal M. Rookard

ALC Case No. 25-ALJ-04-0139-AP
Appellate Case No. 2025-002328

MARCO BATES, # 249552,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

MOTION TO FILE OUT OF TIME

Per a letter from this Court dated March 10, 2026, it came to undersigned counsel's attention that Respondent's Initial Brief and Designation of Matter were 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 and Designation of Matter was not calendared. Therefore, Respondent respectfully requests that this Court accept the attached Initial Brief of Respondent and Designation of Matter out of time. See Rule 263(b), SCACR ("The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.").

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**

BY: 

CHRISTINA C. BIGELOW

Deputy General Counsel

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(803) 896-8508

ATTORNEY FOR RESPONDENT

March 20, 2026

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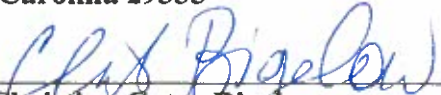
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on this date, she mailed a copy of the **Motion to File out of Time** to Appellant, addressed as follows:

Marco Bates, # 249552
Tyger River Correctional Institution
2B-0220
200 Prison Road
Enoree, South Carolina 29335


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March 20, 2026