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May 22 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Daniel Coble, Circuit Court Judge

Appellate Case No. 2025-002478  
Case No. 2018-CP-40-4850

Randle Jackson as the Personal Representative of the  
Estate of Dashaun Simmons, ..... Respondent,

v.

South Carolina Department of Corrections, ..... Appellant.

**MOTION FOR EXTENSION OF TIME  
TO FILE INITIAL REPLY BRIEF OF APPELLANT**

The Appellant South Carolina Department of Corrections respectfully moves this Court for a 10-day extension of time until June 1, 2026, by which to file and serve the Initial Reply Brief of Appellant and Designation of Matter to be Included in the Record on Appeal.

The Appellant’s motion is based on the following grounds:

1. The Appellant’s Initial Reply Brief and the Designation of Matter to be Included in the Record on Appeal are currently due to be filed and served on or before May 22, 2026.
2. The undersigned counsel requires additional time to complete the Initial Reply Brief of Appellant due to other obligations and deadlines, including having Supreme Court oral

arguments on May 19, 2026, a Supreme Court brief due and filed on May 18, 2026, and a brief due to the Fourth Circuit Court of Appeals on May 22, 2026. The Fourth Circuit brief is in a complex employment case involving ADA and FMLA issues.

3. The undersigned counsel is cognizant of the Court's January 15, 2026 Order determining this case necessitates an expedited briefing schedule. However, by Order filed April 8, 2026, the Court did grant the Respondent's counsel a full 30-day extension for his Respondent's Initial Brief based on workload issues. The Appellant and the undersigned counsel request the same accommodation and courtesy. The undersigned counsel believed that he could complete both appellate briefs due on May 22, 2026, but it now appears that the Fourth Circuit brief is taking longer to complete than originally expected.

4. No previous extension was requested for the Initial Reply Brief. Likewise, the Appellant did not request or receive any extensions for the Initial Appellant's Brief.

WHEREFORE, the Respondents respectfully request that they be allowed until June 1, 2026, by which to file and serve its Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN LAW FIRM, P.A.

BY: s/ Andrew F. Lindemann  
ANDREW F. LINDEMANN #13030  
5 Calendar Court, Suite 202  
Post Office Box 6923  
Columbia, South Carolina 29260  
(803) 881-8920

WILLIAM H. DAVIDSON, II #1558  
BRIAN C. MAULDIN #106135  
DAVIDSON & WREN, P.A.  
1611 Devonshire Drive, Second Floor  
Post Office Box 8568  
Columbia, South Carolina 29202-8568  
(803) 806-8222

*Counsel for Appellant South Carolina  
Department of Corrections*

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CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), the undersigned employee of Lindemann Law Firm, P.A., counsel for the Appellant, does hereby certify that service of the **Motion for Extension of Time to File Initial Reply Brief of Appellant** in the above-captioned matter was made upon all counsel of record by email only this the 22nd day of May 2026, as follows:

Joshua T. Hawkins, Esquire  
Helena L. Jedziniak, Esquire  
Hawkins & Jedziniak, LLC  
Email: [josh@hjllcsc.com](mailto:josh@hjllcsc.com)  
Email: [helena@hjllcsc.com](mailto:helena@hjllcsc.com)

W. Baker Allen, Esquire  
André DuBose Rembert, Esquire  
The Rembert Law Firm  
Email: [wbakerallen@rembertlaw.com](mailto:wbakerallen@rembertlaw.com)  
Email: [arembert@rembertlaw.com](mailto:arembert@rembertlaw.com)

William H. Davidson, II, Esquire  
Brian C. Mauldin, Esquire  
Davidson & Wren, P.A.  
Email: [wdavidson@dml-law.com](mailto:wdavidson@dml-law.com)  
Email: [bmauldin@dml-law.com](mailto:bmauldin@dml-law.com)

*s/ Andrew F. Lindemann*

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