

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

**RECEIVED**  
JUN 01 2026  
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

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Case No. 2025-001423

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James Edward Johnson, Jr. #353643,

Appellant

v.

South Carolina Department of Corrections,

Respondent.

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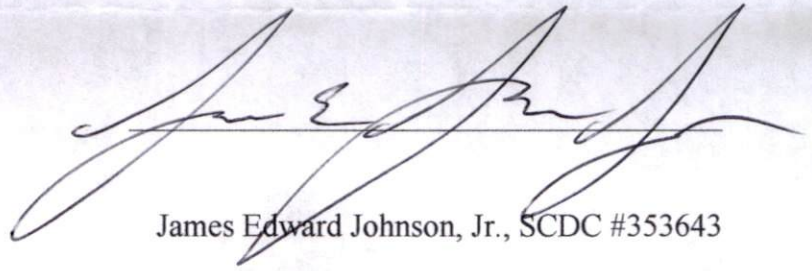
MOTION TO TAKE JUDICIAL NOTICE AND REQUEST FOR EXTENSION OF TIME

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The Appellant respectfully requests this Court take "Judicial Notice" pursuant to Rule 201 of the South Carolina Rules of Evidence that the official record of the proceedings below is maintained by the Administrative Law Court (ALC).

The Appellant, proceeding pro se, has made diligent efforts to obtain copies of the items

designated for the Record on Appeal, as detailed in the attached Affidavit. The Appellant has received no production from the ALC despite formal written requests. Because the documents are within the exclusive control and custody of the lower tribunal and the Appellant has no legal mechanism to compel production outside of this Court's intervention, the Appellant respectfully requests an extension of time to comply with this Court's Order while the Court facilitates the transmission of these records from the ALC.



James Edward Johnson, Jr., SCDC #353643

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

Appellant, *Pro Se*

AFFIDAVIT OF JAMES EDWARD JOHNSON, JR.

I, James Edward Johnson Jr, being duly sworn, depose and state as follows:

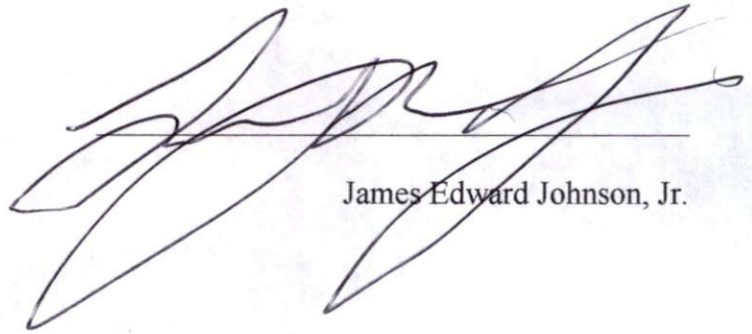
1. I am the Appellant in the above-captioned matter.
2. I have personal knowledge of the facts set forth herein.
3. In February 2026, I submitted a written request to the Clerk of the Administrative Law Court for copies of all pleadings, motions, and orders filed in this case; all "subsequent submissions"

received but not filed by Appellant; and the transcript of the hearing held on November 8, 2024, if available. (See Exhibit A: Copy of Request for Copies of Designated Documents).

4. As of the date of this affidavit, I have received no response or copies of the requested documents from the ALC.

5. I do not have access to, nor am I in possession of, the original or copies of the documents required by this Court's Order dated April 23, 2026.

6. I have acted in good faith to attempt to obtain these records through the lower court's standard procedures and through a prior motion to this Court.



James Edward Johnson, Jr.

State of South Carolina

County of Marlboro

SIGNED AND SWORN to before me this 27<sup>th</sup> day of May, 2026.

Sandra Outlaw  
Notary Public for South Carolina

My Commission Expires: 2/28/34



James Edward Johnson, Jr. # 353643  
Evans Correctional Institution  
610 Highway 9 West  
Bennettsville, South Carolina 29512

Exhibit A1

February \_\_\_\_\_, 2026

Clerk of the Court  
South Carolina Administrative Law Court  
PO Box 11629  
Columbia, South Carolina 29211

**RE: REQUEST FOR COPIES OF DESIGNATED DOCUMENTS**

*ALC Case No.:* 24-ALJ-04-0618-AP

*SC Appeals Court Case No.:* 2025-001423

James Edward Johnson, Jr. #353643 v. South Carolina Department of Corrections

Dear Clerk of the Court,

I am the Appellant in the above-captioned matter, currently on appeal before the South Carolina Court of Appeals. Pursuant to the December 2, 2025 letter from the SC Appeals Court Clerk instructing me to prepare and submit the Record on Appeal, and to Rules 209(b) and 210(c) of the South Carolina Appellate Court Rules (SCACR), I formally request that your office provide me with copies of specific documents from the ALC case file.

On October 7, 2025, I filed a *Designation of Matter for Inclusion in Record on Appeal* with the South Carolina Court of Appeals, a copy of which is attached for your reference. To facilitate the proper preparation of my appeal and to ensure the accuracy of the record, I require personal copies of all documents listed in that designation.

Therefore, I respectfully request that you send to me, at the address above, legible copies of the following designated materials from the court's file:

- All pleadings, motions, and orders filed in this case.
- All "subsequent submissions" received but not filed by Appellant
- The transcript of the hearing held on November 8, 2024, if available

I understand and agree to pay all reasonable copying and postage fees associated with this request. Please inform me of the total cost and I will promptly arrange for payment.

This request is made in conjunction with the directive from the Court of Appeals to prepare the record. Obtaining these copies is a necessary step for me to fulfill my obligation under Rule

209(b) to "cause" the record to be prepared for the appellate court's review. In the event that this request is denied, please state the reason(s) as well as court rules, SC code of law, etc, as to why. Your prompt assistance is essential due to the court-imposed deadlines. Please acknowledge receipt of this request and advise me of the expected timeline and cost.

Thank you for your attention to this matter.

Respectfully,

James Edward Johnson, Jr.

Exhibit A2

Attachments:

1. Copy of Designation of Matter for Inclusion in Record on Appeal

South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

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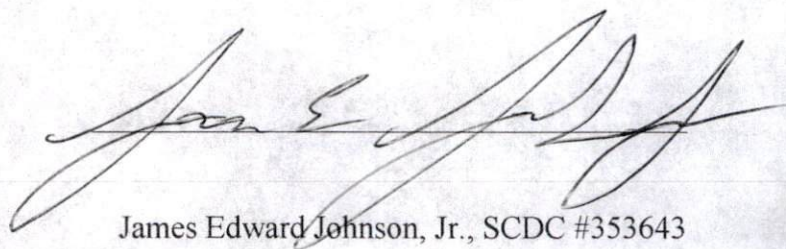
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CERTIFICATE OF SERVICE

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I, James Edward Johnson, Jr., Appellant, hereby certify that on 05-27-26, a true and correct copy of the foregoing "Motion to Take Judicial Notice and Request for Extension of Time" was served upon the Respondent by depositing said copy into the institutional mail system to be forwarded via U.S. Mail by an authorized institutional staff member, rather than directly into the U.S. Mail by myself:

Christina C. Bigelow  
Office of the General Counsel  
South Carolina Department of Corrections  
P.O. Box 21787  
Columbia, SC 29221-1787

A handwritten signature in black ink, appearing to read "James E. Johnson, Jr.", written in a cursive style.

James Edward Johnson, Jr., SCDC #353643

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

Appellant, *Pro Se*

James E Johnson 353643

EC I FI-A-187

610 Highway 9 West  
Dennisville SC 29512



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