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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Administrative Law Judge Ralph K. Anderson, III

Appellate Case No. 2024-000487

Unpublished Opinion No. 2026-UP-118

CURTIS JOHNSON, #337543, ..... Petitioner,  
v.

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

MOTION TO STAY AND TOLL

Petitioner files this emergency Motion to Stay the Court of Appeals' order denying Petitioner's Petition for Rehearing and Stay the Remittitur, and Toll the Court deadline time for Petitioner's Petition for Writ of certiorari in the South Carolina Supreme Court for the following reasons:

On May 21, 2026, the Court of Appeals denied Petitioner's Petition for Rehearing. Petitioner received this Order of denial on May 27, 2026. Pursuant to Rule 242 (c), SCACR, the petitioner had within thirty (30) days after the Petition for Rehearing is finally decided by the court of Appeals to file Petition for Writ of certiorari with the opposing counsel, the Clerk of the court of Appeals, and the clerk of the Supreme Court. This made June 20, 2026, the court deadline for Petitioner to file his Petition for a writ of certiorari, but pursuant to Rule 263 (a), SCACR, since Petitioner's court deadline falls on a weekend, this made June 22, 2026, Petitioner's court deadline date.

On June 1, 2026, Petitioner went on a medical transportation visit for an appointment with a hand Orthopedist for an examination of his right hand that he writes with. The orthopedist informed Petitioner that he will be receiving immediate surgery to fix his hand on one of the days of June 3rd, 4th, or 5th. The orthopedist told Petitioner that the bone(s) in his right hand will be rebroken, set in place with surgery pins, and a cast will be placed on his hand. It will take months for Petitioner's right hand to heal, recover, and be able to write again. Thus, Petitioner will not be able to write

and file his petition for Writ of certiorari on time due to his hand surgery. Medical staff told petitioner that they will provide him with the necessary medical surgery documents to present to the court as proof to confirm that petitioner had hand surgery. As such, petitioner request that the court grant petitioner's Motion for Stay and Toll until petitioner's hand heals, recovers, and he is able to write again to complete his Petition for Writ of Certiorari.

June 1 , 2026

Respectfully Submitted,  
Curtis T. Johnson  
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