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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 July 31, 2026, it came to undersigned counsel's attention that Respondent's Final Brief was overdue. Undersigned counsel has no record of actually receiving Appellant's Record on Appeal, and consequently, the due date for Respondent's Final Brief was not calendared. Therefore, Respondent respectfully requests that this Court accept the attached Final 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
Office of General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221
(803) 896-8508

ATTORNEY FOR RESPONDENT

August , 2026

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CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on today's date, she mailed a copy of the Respondent's **Motion to File Out of Time** to Appellant via U.S. Mail addressed as follows:

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


Christina Catoe Bigelow
Deputy General Counsel
S. C. Department of Corrections
Post Office Box 21787
Columbia, S. C. 29221

August 6, 2026