

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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JUL 07 2014

**SC Court of Appeals**

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APPEAL FROM SOUTH CAROLINA  
Administrative Law Court

Shirley C. Robinson, Administrative Law Judge

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Case No.: 10-ALJ-08-0504-AP

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Albert Cooper Myers,.....Appellant,

v.

South Carolina Department of Health and Human Services.....Respondent,

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**RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE AND  
SERVE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

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Counsel for the Respondent moves pursuant to Rule 263(b), SCACR, for a forty-five (45) day extension of time in which to file and serve Respondent's Initial Brief and Designation of Matter Record on Appeal. The grounds for this motion are that there is good cause to grant the requested extension as set forth:

- 1) This is the first request for an extension of this type by Respondent's counsel;
- 2) Respondent current deadline for filing its Initial Brief and Designation of Matter is July 7, 2014;
- 3) The undersigned was recently retained by the Respondent to serve as counsel for this appeal as well as two other cases;
- 4) That the undersigned has been unable to review the record from the lower court due to his current case load;

- 5) The undersigned currently has due motions, memoranda and briefs before the SC Administrative Law Court, U.S. District Court for the District of South Carolina and the United States Court of Appeals for the Federal Circuit in the month of July;
- 6) The undersigned is also currently scheduled for a jury trial in the Lexington County Court of Common Pleas for the week of August 4, 2014

WHEREFORE Respondent's counsel prays for an Order extending the time in which to file and serve Respondent's Initial Brief and Designation of Matter Record on Appeal in this case until August 21, 2014.

**RILEY, POPE & LANEY, LLC**

  
DAMON C. WLODARCZYK

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Counsel for the Respondent

Columbia, South Carolina  
July 7, 2014

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**CERTIFICATE OF SERVICE BY MAIL**

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I, the undersigned, hereby certify that on the date shown below, I served the **RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE AND SERVE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** on the parties listed below by depositing copies of same into the United States Mail, first class postage prepaid, addressed as shown.

Patricia L. Harrison  
611 Holly Street  
Columbia, SC 29205

**RILEY, POPE & LANEY, LLC**



Damon C. Wlodarczyk  
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Columbia, South Carolina  
July 7, 2014

RILEY POPE & LANEY, LLC  
ATTORNEYS AND COUNSELORS AT LAW

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July 7, 2014

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Myers, Albert C. v. SCDHHS  
Court of Appeals Docket No.: 2014-000418  
Our File No. 5252.00314


Dear Ms. Kitchings:

Please find enclosed for filing the original and one (1) copy of the undersigned's Notice of Appearance on Behalf of the Respondent along with proof of service.

Also enclosed for filing are an original and seven (7) copies of Respondent's Motion for Extension of Time to File and Serve Initial Brief and Designation of Matter along with proof of service. Please return one (1) filed copy of each to me in the self-addressed, postage paid envelope I have included for your convenience. I have also enclosed my firm's check in the amount of \$25.00 to cover the filing fee for the motion. Please do not hesitate to contact me with questions.

Thank you for your kind assistance in this matter.

Sincerely,



Damon C. Wlodarczyk

DCW/

Enclosures

cc: Patricia L. Harrison  
611 Holly Street  
Columbia, SC 29205

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