

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

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Quintin Daniels, #196284, Curtis Davis, #238776,  
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Williams, #272958, Kenneth White, #228409, James Trumper, #247429, Jeffrey Spears, #281697, Timothy Smith, #296539, Davis Sims, #278067, Virgil Simpson, #281888, Edward Simpson, #220017, Kenneth Simmons, #278911, George Shine, #292391, Ralph Sellers, #164295, Laron Richardson, #258786, Frank Patterson, #283098, Tony McNeil, #235864, Larry McClam, #282972, Lavanza Mack, #189340, Raymond Livingston, #277133, Nicholas Lambrose, #215080, Joseph Kelsey, #217218, Keith Eugene, no number, Chuck Jackson, #266425, James Foye, #211523, Timothy Inman, #151123, Marvin Gilbert, #273934, Demetrius Wheeling, #264976, Leon Wilson, #155867, Jeffrey Tevis, #216442, Darryel Beasley, #222388, Curtis Thompson, #266448, Baron Cobbs, #280479, James Tino, #145030, Harold Roberson, #117001, Ray Gadsen, #187527, Tony Witt, #242918, Jonathan Singleton, #287670, Joe Pannell, #89592, Charles Graham, #294453, Lazarus Brannon, #227847, Darrell Williams, #219730, Wilbert Mills, #244004, Howard Grant, #255473, Timothy Wilson, #261971, Rodney Elliott, #251337, Henry Rivers, #219118, Appellants,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-210588

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**RESPONDENT'S MOTION FOR AN EXTENSION OF TIME  
BY WHICH IT MAY FILE ITS FINAL BRIEF**

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The deadline for Respondent to file its Final Brief in the above captioned matter is October 7, 2014.

For the reasons stated below, the Respondent, by and through its undersigned counsel, respectfully moves this Court to extend the deadline by which it must file its final brief until Thursday, November 6, 2014.

The Respondent's undersigned counsel so moves in light of activity in other cases in which they continue to be engaged. For example, the Respondent's undersigned counsel is, and has been, consumed with a contentious jury trial currently pending in federal court for the case styled as *Ashley Reeves v. Town of Cottageville, The Town of Cottageville Police Department, and Randall Price*, Civil Action No. 2:12-cv-02765-DCN. The parties selected a jury on September 30, 2014 and the trial began on October 1, 2014. The trial is currently expected to continue into the week of October 13, 2014.

Additionally, the Respondent's undersigned counsel find themselves engaged in dispositive motions in a case pending in state court for Chester County: *Robert Cauthen v. the City of Chester and Andre Williams in his individual and official capacities*, Civil Action No., 2012-CP-00339. The Respondent's counsel have also recently engaged in responding to the Plaintiffs' opposition memorandum to the Magistrate Judge's Report and Recommendation and filing motions for costs in two consolidated cases pending in federal court: *David Christian, III, v. S.C. Dep't of Labor, Licensing and Regulation, Charles Ido, et al.*, Civil Action No. 3:12-cv-01382-TLW and *Sherry Wilson v. S.C. Dep't of Labor, Licensing and Regulation, Charles Ido, et al.*, Civil Action No. 3:12-cv-1750-TLW. In addition, Respondent's counsel has recently filed responses to initial pleadings in another matter currently pending in state court: *McSwain Laws v. Florence Darlington Technical College, et al.*, Civil Action No., 2014-CP-21-1235.

The Respondent's undersigned counsel respectfully advises this Court that they recently consulted with the Appellants' counsel, and the Appellants' counsel does not object to the instant motion by which the Respondent's counsel seeks an extension of their deadline by which to file the Respondent's final brief.

Therefore, the Respondent's undersigned counsel respectfully urges this Court to grant their instant motion, and, accordingly, the Respondent's undersigned counsel respectfully urges this Court to extend the deadline by which the Respondent must file its final brief in the instant matter **until Thursday, November 6, 2014.**

**RESPECTFULLY SUBMITTED,**



Lake E. Summers

Katherine A. Phillips

**Malone, Thompson, Summers & Ott LLC**

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Columbia, South Carolina 29201

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Counsel for Respondent

Columbia, South Carolina  
October 6, 2014

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South Carolina Department of Corrections, Respondent.

Appellate Case No. 2012-210588

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**PROOF OF SERVICE**

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I certify that I have served the **RESPONDENT'S MOTION FOR AN EXTENSION OF TIME BY WHICH IT MUST FILE ITS FINAL BRIEF** upon the above-named Appellants by mailing a copy of their counsel, first class postage pre-paid, at the following address:

**RECEIVED**

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**SC Court of Appeals**

Douglas H. Westbrook, Esquire  
Attorney at Law  
23 Broad Street  
Charleston, South Carolina 29401

October 6, 2014

A handwritten signature in cursive script, appearing to read "Katherine A. Phillips". The signature is written in black ink and is positioned above a solid horizontal line.

KATHERINE A. PHILLIPS