

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
The Honorable S. Phillip Lenski, Administrative Law Judge  
Case No.: 13-ALJ-15-0027-AP  
Appellate Case No. 2014-001047

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Ronald Tate, #114188,.....Appellant,

v.

S.C. Dept. of Probation,  
Parole and Pardon Services.....Respondent.

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MOTION TO ACCEPT FILING OF APPELLANT'S INITIAL BRIEF  
AND DESIGNATION OF MATTER OUT OF TIME

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Comes now, Ronald Tate, #114188, Appellant respectfully makes this Motion dated November 25, 2014, to Accept the Filing of Appellant's Initial Brief and Designation of Matter Out of Time.

Appellant served and filed an Initial Brief and Designation of Matter Out of Time on September 17, 2014. The Respondent timely filed their Initial Brief and Designation of Matter on October 16, 2014. Appellant timely filed an Apply Brief on October 31, 2014; however, after receiving the Court's letter of November 20, 2014, indicated that a deficiency have been noted, the document has not been timely filed. A motion to allow the late filing will have to be made. Therefore, Appellant respectfully requests the Court accept the filing of Appellant's Initial Brief Out of Time dated September 17, 2014, and served on the same date.

November 25, 2014

  
Ronald Tate, #114188  
Appellant

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DEC 02 2014

**SC Court of Appeals**

Ronald Tate, #114188  
Perry Correctional  
Institution Q-2 B-220  
430 Oaklawn Road  
Pelzer, S.C. 29669

November 25, 2014

The Honorable Jenny Kitchings  
Clerk, of the S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

RE: Ronald Tate v. SCDPPPS (4)  
Appellate Case No. 2014-001047

Dear Ms. Kitchings:


I received your letter dated November 20, 2014, which stated upon review of my initial brief a deficiency have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within (10) days of the date of this letter:

The document has not been timely filed. A motion to allow the late filing will have to be made.

I beg the Court's attention in this matter. Appellant filed his Initial Brief and Designation of Matter along with a Motion to Accept filing of Appellant's Initial Brief and Designation of Matter "Out of Time" dated September 17, 2014, as verified by the proof of service. See the first page and the last page of Appellant's Initial Brief and Designation of Matter dated September 17, 2014. The final page of the Initial Brief contained said Motion and an Addendum was made on the certificate of service certifying same.

However, appellant will honor the Court's letter with the hope that the enclosed Motion to allow the late filing of the Initial Brief of Appellant and Designation of Matter dated September 17, 2014, be accepted by the filing of the enclosed Motion to Accept Filing of Appellant's Initial Brief and Designation of Matter Out of Time, dated November 25, 2014, along with proof of service in the above referenced case.

Sincerely,

  
Ronald Tate, #114188  
Appellant

cc: S. Phillip Lenski  
Tommy Evans Jr., Esquire

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Ronald Tate, #114188,.....Appellant,

v.

S.C. Dept. of Probation,  
Parole and Pardon Services.....Respondent.

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CERTIFICATE OF SERVICE

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I, Ronald Tate, #114188, (Appellant), hereby certify that I have served the within Motion to Accept Filing of Appellant's Initial Brief and Designation of Matter Out of Time dated November 25, 2014, on Respondent by depositing a copy of the same in the United States mail, postage prepaid, addressed to the attorney of record. Also, a copy of same to S. Phillip Lenski, ALCJ, as addressed below:

Tommy Evans, Jr., Esquire  
2221 Devine St., Suite 600  
SCDPPP'S P.O. Box 50666  
Columbia, S.C. 29250

Hon. S. Phillip Lenski  
Administrative Law Court  
1205 Pendleton St., Suite 224  
Columbia, S.C. 29201

I further certify that all parties required by Rule to be served have been served.

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P.C.I. MAILROOM

*Ronald Tate*  
Ronald Tate, #114188  
Appellant.

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SC Court of Appeals

Ronald Tate, #114188  
Perry Correctional  
Institution Q2 B220  
430 Oaklawn Road  
Pelzer, S.C. 29669

*Amj*

The Honorable Jenny Kitchings  
Clerk, S.C. Court of Appeals  
1015 Sumter Street-5th Floor  
Columbia, S.C. 29201

**RECEIVED**

NOV 25 2014

P.C.I. MAILROOM

LEGAL MAIL

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