

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY

OCT 07 2015

J. Cordell Maddox, Jr., Circuit Court Judge

SC Court of Appeals

Trial Court Case No. 2014-CP-23-5969
Appellate Case No. 2015-000759

Billy Joe Cartrette, Appellant,

v.

South Carolina Department of Corrections, Respondent.

**RESPONDENT’S MOTION FOR A 10-DAY EXTENSION OF THE
DEADLINE BY WHICH IT MAY FILE ITS RETURN TO
THE APPELLANT’S “MOTION TO REMAND TO TRIAL COURT
UNDER SCACR 240 AND WHITEHEAD V. STATE”**

For the reasons stated below, the Respondent, the South Carolina Department of Corrections, by and through its undersigned counsel, respectfully moves the Court for a 10-day extension of the deadline by which it may file its return to the Appellant’s “**MOTION TO REMAND TO TRIAL COURT UNDER SCACR 240 AND WHITEHEAD V. STATE**” in the instant case.

The Appellant’s above-referenced motion was dated September 27, 2015, and the Respondent’s undersigned counsel received it, along with its allied attachments, via United States Mail on October 1, 2015.

By the above-stated chronology, the Respondent’s Return to the Appellant’s above-referenced motion is currently due no later than today, October 7, 2015. However, the

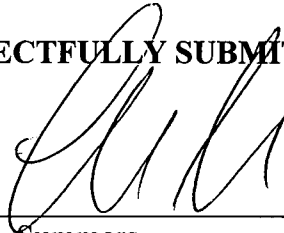
Respondent's undersigned counsel now moves for a 10-day extension of its deadline from October 7, 2015 until Monday, October 19, 2015.

The Respondent's undersigned counsel so moves in light of other obligations he recently confronted in other cases. Specifically, the Respondent's undersigned counsel was scheduled to appear before this Court on Tuesday, October 6, 2015 for oral argument in the matter styled as Francis Ackerman, et al. v. S.C. Dep't of Corr.; Lower Court Case No. 2007ALJ040444AP; Appellate Case No. 2012-210588.

In light of the recent severe weather and flooding, however, the Clerk of this Court notified counsel on Monday, October 5, 2015 that argument in Ackerman had been cancelled and would be rescheduled at a later date. As would be expected, the Respondent's undersigned counsel had devoted significant effort in the days before October 5, 2015 toward preparing for oral argument in Ackerman.

Accordingly, the Respondent's undersigned counsel respectfully urges this Court to grant his instant motion, and he respectfully urges this Court to extend the deadline by which the Respondent may file its return to the Appellant's "**MOTION TO REMAND TO TRIAL COURT UNDER SCACR 240 AND WHITEHEAD V. STATE**" until October 19, 2015.

RESPECTFULLY SUBMITTED,



Lake E. Summers

Malone, Thompson, Summers & Ott LLC

339 Heyward Street, Suite 200

Columbia, South Carolina 29201

Office: (803) 254-3300

Fax: (803) 254-0309

E-mail: summers@mtsollawfirm.com

Counsel for Respondent

Columbia, South Carolina
October 7, 2015

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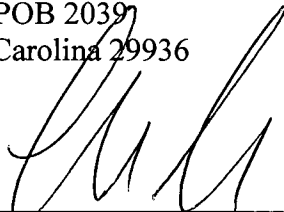
South Carolina Department of Corrections, Respondent.

PROOF OF SERVICE

I certify that I have served the Respondent's **MOTION FOR A 10-DAY EXTENSION OF THE DEADLINE BY WHICH IT MAY FILE ITS RETURN TO THE APPELLANT'S "MOTION TO REMAND TO TRIAL COURT UNDER SCACR 240 AND WHITEHEAD V. STATE"** on the above named *pro se* Appellant by mailing a copy to him, first class postage pre-paid, at the following address:

Billy Joe Cartrette, #122434
RCI, CA-52, POB 2039
Ridgeland, South Carolina 29936

October 7, 2015



Lake E. Summers