

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY

OCT 07 2015

SC Court of Appeals

J. Cordell Maddox, Jr., Circuit Court Judge

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 MOTION TO STRIKE THE APPELLANT’S  
“DESIGNATION OF [ADDITIONAL] MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL”**

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 motion to strike the Appellant’s **“DESIGNATION OF [ADDITIONAL] MATTER TO BE INCLUDED IN THE RECORD ON APPEAL”** in the instant case.

The Appellant’s **“DESIGNATION OF [ADDITIONAL] MATTER TO BE INCLUDED IN THE RECORD ON APPEAL”** was dated September 27, 2015, and the Respondent’s undersigned counsel received it, along with the Appellant’s initial reply brief, via United States Mail on October 1, 2015.

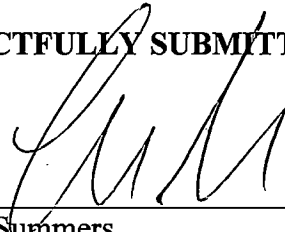
By the above-stated chronology, the Respondent's motion to strike the Appellant's **"DESIGNATION OF [ADDITIONAL] MATTER TO BE INCLUDED IN THE RECORD ON APPEAL"** is currently due no later than today, October 7, 2015. However, the Respondent's undersigned counsel now moves for a 10-day extension of its 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 motion to strike the Appellant's **"DESIGNATION OF [ADDITIONAL] MATTER TO BE INCLUDED IN THE RECORD ON APPEAL"** until October 19, 2015.

**RESPECTFULLY SUBMITTED,**



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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@mtsolawfirm.com](mailto:summers@mtsolawfirm.com)

Counsel for Respondent

Columbia, South Carolina  
October 7, 2015

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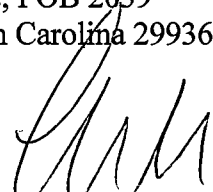
South Carolina Department of Corrections, ..... Respondent.

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 MOTION TO STRIKE THE APPELLANT'S "DESIGNATION OF [ADDITIONAL] MATTER TO BE INCLUDED IN THE RECORD ON APPEAL"** 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

  
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Lake E. Summers