

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Case No. 2016-000034

RECEIVED
FEB 18 2016
SC Court of Appeals

John Elkin,.....Respondent,

v.

South Carolina Criminal Justice AcademyAppellant.

MOTION TO EXTEND TIME TO FILE INITIAL BRIEF PURSUANT TO RULE 208

James M. Fennell, attorney for Appellant, pursuant to Rule 208, SCACR respectfully files this *Motion to Extend Time to File Initial Brief*. On February 4, 2016, James M. Fennell filed the Initial Brief of Appellant, proof of service of the Initial Brief of Appellant on Respondent, Certificate of Counsel for the Initial Brief of Appellant, Designation of Matter to be Included in the Record on Appeal, Proof of Service of the Designation of Matter to be Included in the Record on Appeal on the respondent, and Certificate of Counsel for the Designation of Matter to be Included in the Record on Appeal.¹ This was achieved when Ms. Jeanne Crump, of South Carolina Criminal Justice Academy, placed these items in an envelope addressed to “The Honorable Jenny Abbott Kitchings, Clerk, South Carolina Court of Appeals, PO Box 11629,

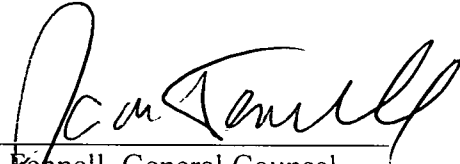
¹ Please find attached PDF copies of these documents.

Columbia, South Carolina 29211," with proper postage pre-paid. The Initial Brief of Appellant was due February 8, 2016. As of February 16, 2016, Mr. Fennell had not received back his requested stamped copy of the Initial Brief of Appellant. He contacted the Court of Appeals to confirm their receipt of the Brief. Mr. Fennell was informed the Brief had not been received. Mr. Fennell contacted Mr. Hutto's, attorney for Respondent, office to confirm they received their copy. It was confirmed Mr. Hutto's office received the Brief on February 5, 2016.

For an unknown reason, the Court has not received the Brief.

WHEREFORE, the undersigned respectfully prays this Court allows Mr. Fennell to re-file the Initial Brief of Appellant and accept the Initial Brief of Appellant, which is included in this Motion.

Respectfully Submitted,



James Fennell, General Counsel
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Attorney for Appellant

February 16, 2016

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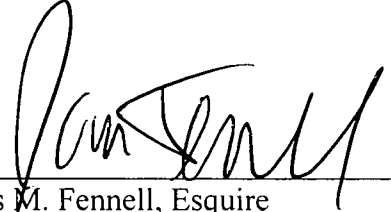
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PROOF OF SERVICE

I certify that I have served the Motion to Extend Time to File Initial Brief Pursuant to Rule 208 on John Elkin by depositing a copy of it in the United States Mail, postage prepaid, on February 4, 2016, addressed to his attorney of record, C. Bradley Hutto, Esquire, Williams & Williams, Post Office Box 1084, Orangeburg, South Carolina 29116.



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February 16, 2016