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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Trial Court Case No. 07-ALJ-04-0517-AP
Appellate Case No. 2014-001199

Fred Gatewood, #289775, Appellant,

v.

South Carolina Department of Corrections, Respondent.

**RESPONDENT’S MOTION FOR A SEVEN-DAY EXTENSION OF THE
DEADLINE BY WHICH IT MAY FILE ITS
PETITION FOR REHEARING**

For the below-stated reasons, the Respondent, the South Carolina Department of Corrections [“SCDC”], by and through its undersigned counsel, respectfully moves the Court for a seven-day extension of the deadline by which it may file its petition for rehearing in the instant case. This Court issued its opinion on March 9, 2016. See *Gatewood v. S.C. Dep’t of Corr.*, -- S.E.2d --, 2016 WL 912672 (S.C. Ct. App. Mar. 9, 2016).

Under the provisions of South Carolina Appellate Court Rule [“SCACR”] 221(a), SCDC confronts a deadline of Thursday, March 24, 2016 by which it may file and serve its petition for rehearing. SCDC, by and through its undersigned counsel, now seeks an extension of the aforementioned deadline from Thursday, March 24, 2016 to Thursday, March 31, 2016.

SCDC's undersigned counsel so moves in light of obligations he confronts in other cases, namely discovery activity in the following cases pending in circuit court in which he represents the defendants: (1) *Oliver v. University of South Carolina, et al.*, 2015-CP-40-3502; (2) *Adventure Golf Carts, et al., v. S.C. Dep't of Corr., et al.*, 2015-CP-40-6354; and (3) *Ransom v. S.C. Dep't of Trans., et al.*, 2016-CP-40-00177.

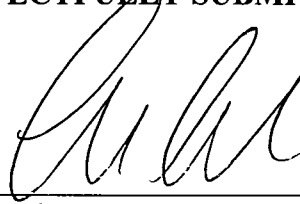
SCDC's undersigned counsel also moves in light of the upcoming holiday weekend, which begins with Good Friday on March 25, 2016 and ends with Easter on March 27, 2016.

SCDC's undersigned counsel communicated with the Appellant's counsel on Monday, March 21, 2016 concerning his desire for a seven-day extension of the deadline by which to file and serve SCDC's petition for rehearing, and the Appellant's counsel does not object to the proposed seven-day extension.

Finally, SCDC's undersigned counsel received the Appellant's petition for rehearing concerning the Court's March 9, 2016 opinion via United States Mail on Monday, March 21, 2016. In accordance with SCACR 240(e), SCDC's undersigned counsel has 10 days, or until Thursday, March 31, 2016, to file and served a return on SCDC's behalf. Should the Court grant his instant motion and permit SCDC's undersigned counsel to file SCDC's petition for rehearing on March 31, 2016, SCDC's petition for rehearing will serve as its return to the Appellant's petition for rehearing.

In light of all the foregoing reasons, SCDC's undersigned counsel respectfully urges this Court to grant his instant motion, and, accordingly, SCDC's undersigned counsel respectfully urges this Court to extend the deadline by which SCDC may file and serve its petition for rehearing until Thursday, March 31, 2016.

RESPECTFULLY SUBMITTED:



March 22, 2016

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PROOF OF SERVICE

I certify that I have served the **Respondent's Motion for a Seven-Day Extension of the Deadline by which It May filed Its Petition for Rehearing** on the above-named Appellant by mailing a copy of it to his counsel, first class postage pre-paid, at the following address:

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

March 22, 2016


LAKE E. SUMMERS