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APR 21 2016

SC SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

Appeal from The Administrative Law Court
Ralph King Anderson, III, Administrative Law Judge
2012-210588

Court of Appeals Opinion No. 5379

South Carolina Department of Corrections, ~~Respondent~~/Petitioner,

v.

Francis Ackerman, et al. ~~Appellants~~/Respondents.

**MOTION BY THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
TO FILE ITS PETITION FOR WRIT OF CERTIORARI OUT OF TIME**

On February 10, 2016, the Court of Appeals issued its opinion in the above-captioned matter. *See Francis Ackerman, et al., Appellants, v. S.C Dep't of Corr., Respondent*, Opinion No. 5379 (Feb. 10, 2016). 782 S.E.2d 757 (S.C. Ct. App. 2016).

By an order dated March 24, 2016, the Court of Appeals denied the petition for rehearing filed by the Respondent/Petitioner, the South Carolina Department of Corrections ["SCDC"]. The Appellants/Respondents did not file a petition for rehearing. SCDC's undersigned counsel received the aforementioned order by United States Mail on March 28, 2016.

Consequentially, SCDC's petition for writ of certiorari is, by operation of South Carolina Appellate Court Rule 242(c), due no later than Monday, April 25, 2016.

However, for a variety of reasons, both personal and professional, SCDC's undersigned counsel respectfully moves this Court to extend the deadline associated with SCDC's petition for writ of certiorari from Monday April 25, 2016 to Friday, April 29, 2016.

SCDC's undersigned counsel communicated with counsel for the Appellants/Respondents on Thursday, April 21, 2016 concerning the proposed extension of the deadline by which to file and serve SCDC's petition for writ of certiorari, and counsel for the Appellants/Respondents does not object to the proposed extension.

Therefore, SCDC's undersigned counsel respectfully urges this Court to grant his instant motion and, by doing so, extend the deadline by which SCDC may file and serve its petition for writ of certiorari until Friday, April 29, 2016.

RESPECTFULLY SUBMITTED:



April 21, 2016

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Douglas H. Westbrook, Esquire

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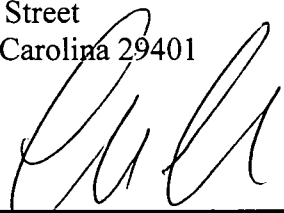
v.

Francis Ackerman, et al. Appellants/Respondents.

PROOF OF SERVICE

I certify that I have served the **MOTION BY THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS TO FILE ITS PETITION FOR WRIT OF CERTIORARI OUT OF TIME** on the above named Appellants/Respondents by mailing a copy of the same to their counsel of record at the following address:

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



LAKE E. SUMMERS

April 21, 2016