

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

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JUN -9 2016

Court of Appeals Opinion No. 5389
Appellate Case No. 2014-001199

SC SUPREME COURT

Fred Gatewood, #289775, Respondent,

v.

South Carolina Department of Corrections, Petitioner.

**MOTION BY THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
TO EXTEND THE DEADLINE BY WHICH IT MAY FILE ITS
PETITION FOR WRIT OF CERTIORARI**

On March 9, 2016, the Court of Appeals issued its opinion in the above-captioned matter. *See Fred Gatewood, Appellant, v. S.C. Dep't of Corr., Respondent*, Opinion No. 5389 (Mar. 9, 2016). -- S.E.2d --, 2016 WL 912672 (S.C. Ct. App. 2016).

By an order dated June 2, 2016, the Court of Appeals denied the petition for rehearing filed by the Petitioner, the South Carolina Department of Corrections ["SCDC"]. By the same order, the Court of Appeals also denied the petition for rehearing filed by the Respondent, Inmate Fred Gatewood.

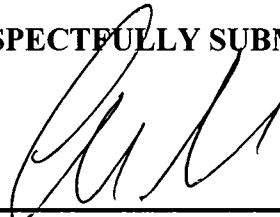
Consequentially, SCDC's petition for writ of certiorari is, by operation of South Carolina Appellate Court Rule 242(c), due no later than Tuesday, July 5, 2016.

However, the undersigned counsel for SCDC is scheduled to depart Thursday, June 16, 2016 with his family on a long-planned trip out of the country, and he is scheduled to return Friday, July 1, 2016. Accordingly, SCDC's undersigned counsel respectfully moves this Court to extend the deadline associated with SCDC's petition for writ of certiorari from Tuesday, July 5, 2016 to Monday, July 18, 2016.

SCDC's undersigned counsel communicated with counsel for the Respondent on Thursday, June 9, 2016 concerning the proposed extension of the deadline by which to file and serve SCDC's petition for writ of certiorari, and the Respondent's counsel 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 Monday, July 18, 2016.

RESPECTFULLY SUBMITTED:



June 9, 2016

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Counsel for the Respondent:

Douglas H. Westbrook, Esquire

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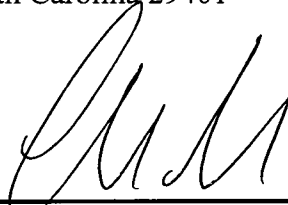
v.

South Carolina Department of Corrections, Petitioner.

PROOF OF SERVICE

I certify that I have served the **MOTION BY THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS TO EXTEND THE DEADLINE BY WHICH IT MAY FILE ITS PETITION FOR WRIT OF CERTIORARI** on the above-named Respondent by mailing a copy of the same to his counsel of record at the following address:

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



LAKE E. SUMMERS

June 9, 2016