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SC SUPREME COURT

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

Appellate Case No. 2016-001221

Fred Gatewood, #289775, Respondent/Petitioner,

v.

South Carolina Department of Corrections, Petitioner/Respondent.

**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). 785 S.E.2d 600 (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.

By a motion filed June 9, 2016, SCDC's undersigned counsel respectfully moved this Court to extend the deadline associated with SCDC's petition for writ of certiorari to July 18, 2016. By an order filed June 9, 2016, this Court granted the motion filed by SCDC's

undersigned counsel, and, by doing so, it extended the deadline associated with SCDC's petition for writ of certiorari to July 20, 2016.

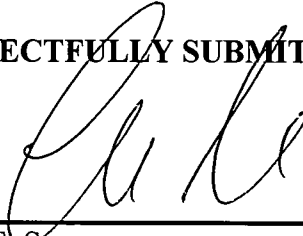
SCDC's undersigned counsel now respectfully moves for a second extension of the deadline associated with SCDC's petition for writ of certiorari. Specifically, SCDC's undersigned counsel respectfully moves for a five (5) day extension of the deadline. Thus, SCDC's undersigned counsel respectfully proposes a new deadline of Monday, July 25, 2016. In so moving, SCDC's undersigned counsel acknowledges that he has reviewed the Court's order of July 16, 2014 (www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=963).

SCDC's undersigned counsel so moves in light of unexpected obligations – both professional and personal – that he has encountered upon returning July 1, 2016 from a long-planned trip out of the country.

SCDC's undersigned counsel communicated with counsel for the Respondent on Tuesday, July 19, 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 by five (5) days or until Monday, July 25, 2016.

RESPECTFULLY SUBMITTED:



July 20, 2016

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@mtsollawfirm.com

Counsel for the South Carolina
Department of Corrections

Counsel for the Respondent:

Douglas H. Westbrook, Esquire

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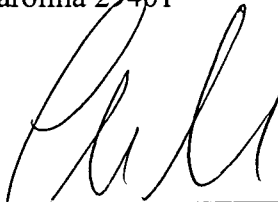
v.

South Carolina Department of Corrections, Petitioner/Respondent.

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

July 20, 2016