

THE STATE OF SOUTH CAROLINA

In the South Carolina Court of Appeals

APPEAL FROM RICHLAND COUNTY

G. Thomas Cooper, Jr., Circuit Court Judge

Civil Action No. 13-CP-40-0301

RECEIVED  
JUL 21 2016  
SC Court of Appeals

Basil W. Akbar, #065498,

Appellant,

v.

South Carolina Department of Corrections,  
Bill Byers, Martha Roof, Debrah Long,  
Lisia Johnson, Ann and John Doe,

Respondents.

RESPONDENTS' MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE  
RESPONDENTS' RETURN TO APPELLANT'S PETITION FOR REHEARING AND  
REHEARING EN BANC

Respondents South Carolina Department of Corrections, Bill Byers, Martha Roof, Debrah Long, Lisia Johnson, Ann Doe, and John Doe ("Respondents") respectfully move pursuant to Rules 240 and 263 of the South Carolina Appellate Court Rules<sup>1</sup> for an Order granting Respondents a thirty (30) day extension of time to file their Return to Appellant's Petition for Rehearing and Rehearing En Banc, filed with the South Carolina Court of Appeals, on the following grounds:

<sup>1</sup> Because this Motion contains a full explanation of its grounds, Respondents forego filing a supporting Memorandum, as such Memorandum would serve no useful purpose.

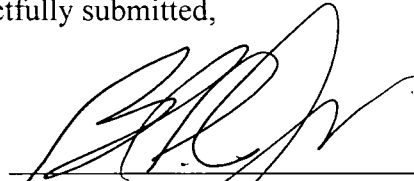


On July 6, 2016, this Court issued an Opinion affirming the trial court's granting of summary judgment in favor of Respondents and dismissing Appellant's appeal. On or about July 12, 2016, Appellant signed a Petition for Rehearing and Rehearing En Banc and subsequently filed it with the South Carolina Court of Appeals. Appellant's Petition for Rehearing was postmarked to the undersigned counsel for Respondents on July 13, 2016. On July 18, 2016, the undersigned counsel for Respondents received Appellant's Petition for Rehearing. Counsel for Respondents is informed and believes that the present deadline for Respondents to file a Response Brief to Appellant's Initial Brief is July 22, 2016. *See* Rule 240(e), SCACR. Because of the short timeframe between when counsel for Respondents received Appellant's Petition for Rehearing, and the fact that counsel for Respondents has had a number of matters to attend to in other State and Federal cases, the undersigned counsel for Respondents requires additional time to complete Respondents' Return to the Petition in this matter.

Counsel for Respondents, therefore, would respectfully request an additional thirty (30) days from the current deadline in which to file a Return to Appellant's Petition for Rehearing. As set forth above, the undersigned counsel for Respondents is informed and believes that the present deadline to file Respondents' Initial Response Brief is July 22, 2016. The extended deadline, therefore, would be August 21, 2016. No prior request for an extension has been filed by these parties.

(SIGNATURE PAGE TO FOLLOW)

Respectfully submitted,



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Daniel R. Settana, Jr.  
Brandon P. Jones  
McKay, Cauthen, Settana & Stublely, P.A.  
1303 Blanding Street (29201)  
P.O. Drawer 7217  
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Attorneys for Respondents

Columbia, South Carolina  
July 21, 2016

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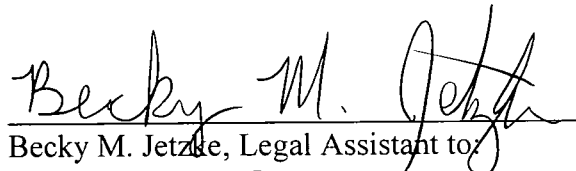
South Carolina Department of Corrections,  
Bill Byers, Martha Roof, Debrah Long,  
Lisia Johnson, Ann and John Doe,

Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 21, 2016, a copy of the foregoing **RESPONDENTS' MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE RESPONDENTS' RETURN TO APPELLANT'S PETITION FOR REHEARING AND REHEARING EN BANC** was served on the Pro Se Appellant by mailing a copy of same in the United States Mail, via certified mail, return receipt requested, proper postage prepaid, addressed as follows:

Basil W. Akbar, #65498  
Lee Correctional Institution  
990 Wisacky Hwy.  
Bishopville, SC 29010

  
Becky M. Jetzke, Legal Assistant to  
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+ Also licensed in N.C.  
# Also licensed in Georgia

July 21, 2016

**RECEIVED**

JUL 21 2016

**SC Court of Appeals**

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: Basil Akbar v. SCDC, Bill Byers, Martha Roof, Debrah Long,  
Lisia Johnson, Ann and John Doe  
SC Appeal No.: 2013-002306  
Richland Co. Case No: 2013-CP-40-0301  
Claim No: 75046  
Our File No: 9-372

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of *Respondents' Motion for Extension of Time within which to file Respondents' Return to Appellant's Petition for Rehearing and Rehearing En Banc* in reference to the above-referenced matter. Please return two (2) clocked-in copies to me via my courier.

By copy of this letter, I am serving the *pro se* Appellant with the same.

Thank you for your assistance. Should you have any questions or concerns, do not hesitate to contact me.

With kindest regards, I am,

Very truly yours,

Brandon P. Jones

BPJ/bmj  
Enclosures

cc: Basil Akbar, #65498 (via Certified/Return Receipt Requested)