

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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

Court of Appeals Opinion No. 5379
Supreme Court Case Tracking No. 2016-000829

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JUN -9 2016

SC SUPREME COURT

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Linso Allen, #269378, Michael Benninger, #264212,
Frederic Brown, #289602, Timothy Brown, #238461,
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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 REPLY
TO THE RESPONDENTS' RETURN TO ITS
PETITION FOR WRIT OF CERTIORARI**

On May 31, 2016, the undersigned counsel for the Petitioner in the above-captioned matter, the South Carolina Department of Corrections ["SCDC"], received the Respondents' return to its petition for writ of certiorari.

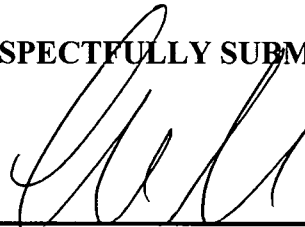
Consequentially, SCDC's reply to the Respondents' return is, by operation of South Carolina Appellate Court Rule 242(g), due no later than Friday, June 10, 2016.

However, the undersigned counsel for SCDC was taken ill and unexpectedly spent time out of the office on during the latter half of the week which began Monday, May 30, 2016. Accordingly, SCDC's undersigned counsel respectfully moves this Court to extend the deadline associated with SCDC's reply to the Respondents' return from Friday, June 10, 2016 to Tuesday, June 14, 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 reply, 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 reply until Tuesday, June 14, 2016.

RESPECTFULLY SUBMITTED:



June 9, 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@mtsolawfirm.com

Counsel for the South Carolina
Department of Corrections

Counsel for the Respondent:

Douglas H. Westbrook, Esquire

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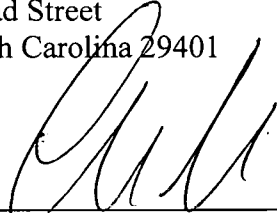
South Carolina Department of Corrections, Petitioner.

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 REPLY TO THE RESPONDENTS' RETURN TO ITS PETITION FOR WRIT OF CERTIORARI** on the above named 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

June 9, 2016



LAKE E. SUMMERS