

STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

OCT 23 2017

Administrative Law Judge S. Phillip Lenski

SC Court of Appeals

ALC Case No. 16-ACL-04-0550-AP

Appellant Case No. 2017-000232

JIMMY D. MEGGS JR., 277400,

APPELLANT,

vs.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

MOTION TO SERVE AND FILE  
OUT OF TIME.

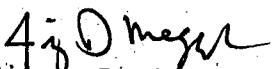
Jimmy D. Meggs Jr., 277400  
TCI SA-227  
1578 Clarence Coker Hwy.  
Turbeville, SC 29162  
(APPELLANT PRO-SE)

S.C. Dept. of Corrections  
Christina C. Bigelow, Esq.  
Office of General Counsel  
Post Office Box 21787  
(COUNSEL FOR RESPONDENT)

The Appellant would humbly request that this Court please allow the Appellant here to serve and File his Final Brief. As outlined in the Respondent's "Statement of the Case" as follows: [This Matter comes before this Court pursuant to the Appeal of Jimmy D. Meggs Jr., as inmate in the custody of the South Carolina Department of Corrections. On May 11 2016, Appellant submitted a Step 1 Grievance complaining that the Department of Corrections should give him credit for time he spent on House Arrest in 2000 through 2001. The grievance was denied on May 25 2016, and Appellant filed a Step 2 Grievance on that same day. The Step 2 was denied on June 30 2016, and Appellant appealed to the Administrative Law Court.] ALC Judge S. Phillip Lenski filed an Order affirming the decision of the South Carolina Department of Corrections. This Appellant timely filed his Notice of Appeal.

As the Law Library here at Turbeville has been closed for some 80% of the time I had not been able to properly been able to respond. Futher, itwas not until October 4th 2017 that I received the "Department's" Response, so as to make it impossible to be able to respond within a timely manner. When I received the Department Brief, I was able to Respond with my Final Brief. In effect because the "Department" was late in submitting their Brief it inhibited my ability to respond until I received their Brief. I would Humbly ask that This Court would entertain this Appeal and decide the case on it's merits.

RESPECTFULLY SUBMITTING,

  
Jimmy D. Meggs Jr.

This 18<sup>th</sup> Day of October 2017.