

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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

OCT 30 2017

S.C. SUPREME COURT

Court of Appeals' Order filed July 20, 2017  
Supreme Court Case Tracking No. 2017-002010

Francis Ackerman, #266928, Malik Aljalil, #219551,  
Linso Allen, #269378, Michael Benninger, #264212,  
Frederic Brown, #289602, Timothy Brown, #238461,  
Terrell Buchanon, #277262, Christopher Buch, #200690,  
Rudy Cassady, #238732, Sheldon Clark, #264772,  
Zawaski Cobb, #187136, Kamathene Cooper, #145333,  
Gladstone Cummings, #267450, Patrick Curtis, #175139,  
Quintin Daniels, #196284, Curtis Davis, #238776,  
Heyward Dempsey, #134171, Phillip Denney, #240678,  
Paul Durham, #219573, Jerome Durham, #270393, Keith  
Eigner, #299153, Bernard Felder, #122099, Jermaine  
Garriett, #191274, Fred Gatewood, #289775, Dennis  
Goff, #177506, Gregory Grant, #109656, Nelson  
Hampton, #286427, James Hartman, #219770, Gary  
Hayes, #263985, Michael Hood, #279987, Nikia Law,  
#260855, Stephen Lease, #137016, Harry Leonard,  
#249996, Herbert McFadden, #184297, Michael  
McFarland, #266870, Earl Mack, #216237, John Moultri,  
#276527, Matin Muntaqim, #266870, Tony Pitts,  
#280597, Germaine Pringle, #250390, Gene Richardson,  
#93614, Dennis Richey, #233472, Ignacio Rivera,  
#300424, Vondell Sanders, #241308, James Sattler,  
#235043, Joseph Schmitz, #173987, Arthur Scott,  
#251957, Jerome Scott, #153381, Roosevelt Scott,  
#275631, Archie Simmons, #161419, Robert Smith,  
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#258972, Harlon Edger, #261866, Johnny Holden,  
#245199, Don Hughes, #256862, Michael Key, #266890,  
Archie Lee, #226354, Isaac Richardson, #232574,  
Larkland Richards, #281768, John Wojcik, #219463,  
James Bogan, #288111, Larry Burke, #281911, Jammie  
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v.

South Carolina Department of Corrections, Respondent.

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

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On October 2, 2017, the undersigned counsel for the Respondent in the above-captioned matter, the South Carolina Department of Corrections ["SCDC"], received the Petitioners' Petition for Writ of Certiorari and Appendix. According to the proof of service accompanying the Petition, the Petitioners' counsel served the Petition and Appendix upon SCDC's undersigned counsel via United States Mail on September 29, 2017.

Consequentially, SCDC's Return to the Petition is, by operation of South Carolina Appellate Court Rule 242(f), due no later than Monday, October 30, 2017.

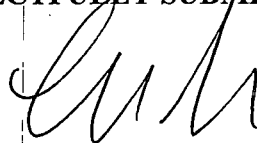
However, the undersigned counsel for SCDC respectfully moves the Court for an extension of the deadline by which SCDC may file its Return from Monday, October 30, 2017 to Monday, November 6, 2017.

SCDC's undersigned counsel so moves in light of obligations he confronted in other cases pending in federal court, circuit court, and the Administrative Law Court during the week beginning Monday, October 23, 2017.

SCDC's undersigned counsel communicated with counsel for the Petitioners on Friday, October 27, 2017 concerning the proposed extension of the deadline by which to file and serve SCDC's Return, and the Petitioners' counsel does not object to the proposed extension.

Accordingly, 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 Return until Monday, November 6, 2017.

**RESPECTFULLY SUBMITTED:**



October 30, 2017

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Columbia, South Carolina 29201  
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Counsel for the South Carolina  
Department of Corrections

Counsel for the Respondent:  
Douglas H. Westbrook, Esquire

THE STATE OF SOUTH CAROLINA  
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S.C. SUPREME COURT

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South Carolina Department of Corrections, 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 RETURN TO THE PETITIONERS' PETITION FOR WRIT OF CERTIORARI** on the above named Petitioners 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

October 30, 2017

  
LAKE E. SUMMERS