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S.C. 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

Court of Appeals' Order filed October 17, 2017  
Appellate Case No. 2017-002501

Fred Gatewood, #289775, ..... Petitioner,

v.

South Carolina Department of Corrections, ..... Respondent.

**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 December 7, 2017, the undersigned counsel for the Respondent in the above-captioned matter, the South Carolina Department of Corrections ["SCDC"], received the Petition for Writ of Certiorari and Appendix submitted by Fred Gatewood ["Gatewood"]. According to the proof of service accompanying the Petition, Gatewood's counsel served the Petition and Appendix upon SCDC's undersigned counsel via United States Mail on December 6, 2017.

Consequentially, SCDC's Return to the Petition is, by operation of South Carolina Appellate Court Rule 242(f), due no later than Friday, January 5, 2018.

However, the undersigned counsel for SCDC respectfully moves the Court for an extension of the deadline by which SCDC may file its Return from Friday, January 5, 2018 to no later than Friday, February 2, 2018.

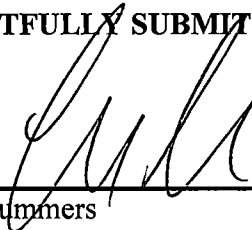
SCDC's undersigned counsel so moves in light of obligations he confronted in other cases pending in federal court, circuit court, and the Administrative Law Court during December 2018. SCDC's undersigned counsel also so moves in light of the recently concluded holiday season.

SCDC's undersigned counsel attempted to communicate with Gatewood's counsel via telephone on Thursday, January 4, 2018 concerning the proposed extension of the deadline by which to file and serve SCDC's Return. SCDC's undersigned counsel was unable to speak with Gatewood's counsel, perhaps because the Charleston area, which is the area in which counsel for the Petitioners operates his office, experienced significant snowfall on Wednesday, January 3, 2018.

For clarity's sake, the instant extension motion represents the first occasion upon which SCDC's undersigned counsel has moved the Court to extend the deadline associated with filing SCDC's Return.

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 Friday, February 2, 2018.

**RESPECTFULLY SUBMITTED:**



January 4, 2018

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Counsel for the South Carolina  
Department of Corrections

Counsel for the Respondent:  
Douglas H. Westbrook, Esquire

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**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 GATEWOOD'S PETITION FOR WRIT OF CERTIORARI** on the above-named Petitioner 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

January 4, 2018

  
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LAKE E. SUMMERS