

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

JAN 23 2018

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION
APPELLATE PANEL

S.C. SUPREME COURT

OPINION NO: 2017-UP-379 (S.C. Ct. App., FILED October 18, 2017)

Johnny Tucker,

Employee/Respondent

v.

S.C. Department of Transportation, Employer,

and

State Accident Fund,

Carrier/Petitioners

MOTION FOR EXTENSION TO FILE APPENDIX

TURNER PADGET GRAHAM & LANEY, P.A.
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200 E. Broad Street
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It is respectfully submitted that the Defendant/Petitioners be granted an extension to file the appendix in this matter until Wednesday, January 24, 2018 upon the following grounds:

1. That a Petition for Writ of Certiorari was timely filed by the undersigned on January 16, 2018.
2. That on January 18, 2016 the undersigned had set time assigned aside to prepare the appendix prior to the mailing of the Petition for Writ of Certiorari.
3. That at approximately 10:30 a.m. on Tuesday, January 16, the undersigned's wife was admitted to the hospital on an emergency basis with a diagnosis of probable acute leukemia and bone marrow failure and remains hospitalized indefinitely.
4. That because of these events the undersigned was unable to complete the appendix.
5. All of the documents necessary for the appendix are in the possession of Petitioners.

It is therefore respectfully submitted that the Court grant the Defendants/Petitioners an extension to file the appendix in this matter to serve the appendix in this matter not later than Wednesday, January 24, 2018.

Respectfully submitted,



TURNER PADGET GRAHAM & LANEY, P.A.
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Johnny Tucker,Employee/Respondent
vs.

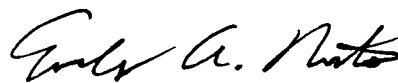
S.C. Department of Transportation, Employer and
State Accident Fund,Carrier/Petitioners
of which

State Accident Fund isCarrier

CERTIFICATE OF MAILING

I certify that I have served the Motion For Extension to File Appendix on counsel by depositing copies of the Carrier/Petitioner's Motion the United States Mail, postage prepaid, on January 19, 2018, addressed to its attorneys of record.

TURNER PADGET GRAHAM & LANEY, P.A.



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JAN 23 2018

S.C. SUPREME COURT

REPLY TO:

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January 19, 2018

The Honorable Linda Allen
Clerk of Court
South Carolina Supreme Court
PO Box 11330
Columbia, SC 29211

Re: Johnny Tucker v. South Carolina Department of Transportation
Extension of Time to file Appendix
TPGL Pending File No.: 2.903

Dear Ms. Allen:

This letter will confirm my telephone conversation with you regarding the above-referenced matter. As I advised you, I had completed the Petition for Writ of Certiorari and my intention was to serve the same, along with the appendix, on the due date, Tuesday, January 16. However, unfortunately and unexpectedly on that day, my wife was admitted to the emergency room with extreme fatigue and blood work issues, and has subsequently been diagnosed with probable acute leukemia. Because of these events, I have requested an extension to file the appendix in the matter until Wednesday, January 24. Fortunately, a new attorney has started in our office as of yesterday and she will be able to assist me in preparing the appendix. I truly appreciate your assistance in this matter and should you have any questions, please feel free to contact me.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.



for David H. Keller

DHK:pam

TPGL 8334920v1

The Honorable Linda Allen
January 19, 2018
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cc: Preston F. McDaniel, Esquire
Gerald Malloy, Esquire
Ginny Abbott Kitchens



The Supreme Court of South Carolina

David Hill Keller
PO Box 9037
Greenville SC 29604-9037

01/23/2018

RECEIPT #85730

Case No:	2018-000076
Case Short Title:	Johnny Tucker v. SCDOT
Event:	Motion - Extension of Time (1st)
Fee Type:	Motion Fee
Amount:	\$25.00
Payment Type:	Check
Reference No:	292296
Check/Money Order Date:	01/19/2018
Comments:	