

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION  
APPELLATE PANEL

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RECEIVED  
JAN 22 2018  
SC Court of Appeals

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

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Johnny Tucker,

Employee/Respondent

v.

S.C. Department of Transportation, Employer,

and

State Accident Fund,

Carrier/Petitioners

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**MOTION FOR EXTENSION TO FILE APPENDIX**

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TURNER PADGET GRAHAM & LANEY, P.A.

David H. Keller

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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,



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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 is .....Carrier

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 \_\_\_\_, 2018, addressed to its attorneys of record.

TURNER PADGET GRAHAM & LANEY, P.A.



Evelyn A. Norton  
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# Turner | Padget

REPLY TO:

David H. Keller

E-Mail: DKeller@turnerpadget.com  
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Writer's Direct Fax: (864) 282-5979

January 19, 2018

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

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JAN 22 2018  
SC Court of Appeals

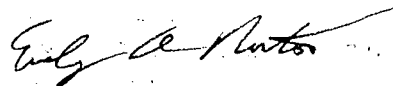
Re: Johnny Tucker v. South Carolina Department of Transportation  
Extension of Time to file Appendix  
TPGL Pending File No.: 2.903

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

✓

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The Honorable Linda Allen  
January 19, 2018  
Page 2

cc: Preston F. McDaniel, Esquire  
Gerald Malloy, Esquire  
Ginny Abbott Kitchens ✓

**Turner | Padgett**

P.O. Box 1509, Greenville, SC 29602

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**SC Court of Appeals**

Jenny Abbott Kitchings

Clerk of South Carolina Court of Appeals

PO Box 11629

Columbia, SC 29211

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