

STATE OF SOUTH CAROLINA COURT OF APPEALS
APPEAL FROM THE ADMINISTRATIVE LAW COURT
H.W. FUNDERBURK JR. ADMINISTRATIVE LAW JUDGE
ALC CASE NO. 17-ALF-04-0154-AP
APPELLATE CASE NO. 2017-001964

RECEIVED
FEB 02 2018
SC Court of Appeals

MICHAEL BRAXTON # 119081 *****APPELLANT

V.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS ***** RESPONDENT

MOTION REQUESTING PERMISSON TO SERVE AND FILE THE APPELLANT'S FINAL REPLY BRIEF AND FINAL BRIEF OUTSIDE FILING DEADLINE SET BY SCRAP 211.

ON JANUARY 26, 2018 THE APPELLANT RECEIVED NOTICE FROM THE CLERK OF THIS HONORABLE COURT THAT THE TIME FOR FILING AND SERVING HIS FINAL REPLY BRIEF AND HIS FINAL BRIEF HAS EXPIRED.

IF IT MAY PLEASE THE COURT, THE APPELLANT WILL NOW OFFER CLAIRIFICATION AS WELL AS PROOF THAT HE IS WITHIN THE TIME CONSTRAINT GUIDELINE SET BY SCRAP 211, AND THAT HE HAS BEEN DILIGENT IN THE OBSERVANCE AND APPLICATION OF ALL THE APPLICABLE RULES AND PROCEDURES TO THE BEST OF HIS ABILITY THROUGHOUT THE APPEALS PROCESS.

THE APPELLANT'S PROOF BEGINS WITH THE SUBMISSION OF A COPY OF HIS REPLY BRIEF ALONG WITH PROOF OF SERVICE AS (EXHIBIT A). THE PROOF OF SERVICE ATTACHED TO HIS REPLY BRIEF WILL SHOW THAT IT WAS FILED ON DECEMBER 28, 2017.

THE APPELLANT ALSO SERVED HIS REPLY BRIEF ON THE RESPONDENT MS. ANNIE L. RUMLER ON DECEMBER 28, 2017.


AS CONFIRMATION THE APPELLANT ATTACHES SCDC FORM 10-14 (AGREEMENT TO DEBIT E.H. COOPER ACCOUNT) AS EXHIBIT'S B-C.

(EXHIBIT B) SCDC FORM 10-14 WHICH DEBITED THE APPELLANT IN HIS FILING OF HIS REPLY BRIEF TO THE SOUTH CAROLINA COURT OF APPEALS C/O MRS. PENNY ABBOTT KITCHINGS AND MS. V. CLAIRE ALLEN CLERK AND DEPUTY CLERK RESPECTIVELY, ON DECEMBER 28, 2017.

(EXHIBIT C) SCDC FORM 10-14 WHICH DEBITED THE APPELLANT IN HIS SERVICE OF THE REPLY BRIEF ON THE RESPONDENT MS. ANNIE L. RUMLER, ALSO ON DECEMBER 28, 2017. ALSO INCLUDED AS (EXHIBIT (C-1)) THE APPELLANT SUBMITS THE COVER LETTER TO MS. RUMLER THAT ACCOMPANIED HIS REPLY BRIEF.

THE APPELLANT AT THIS TIME HUMBLY REQUEST AND PRAYS THAT THE COURT GRANTS PERMISSION ALLOWING SUBMISSION OF HIS REPLY BRIEF, AS WELL AS HIS FINAL BRIEF INCLUDED IN THIS CORRESPONDENCE, THEREBY, ALLOWING HIS APPEAL THAT IS BASED ON CONSTITUTIONAL VIOLATIONS TO CONTINUE.

RESPECTFULLY SUBMITTED,



MICHAEL BRAXTON 119081 PRO SE

MA-41

4848 GOLDMINE HWY

KERSHAW SC 29067

JANUARY 30, 2018

Ex. B

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Inmate Services

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name: Mike Braxton	SCDC #: 119081	Housing Unit: MA-41	Date: 12/28/17
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GENERAL MATERIAL

** Inmate must have the funds in his/her account to pay for the materials.

To be completed by
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		
Tape		
Box		
Electronic Repair		
Other		
Sub-Total:		

LEGAL MATERIAL

** Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

To be completed by
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		
Other		
Sub-Total:		

Jenny Abbott Kitching
V. Charé Allen
S.C. Court of Appeals
RECORD on Appeal
(Re-Submission)
Reply Brief =

2.87

2.87

PHOTOCOPIES

** Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by
SCDC staff:

Item	Amount	Cost
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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Inmate Services

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name: <i>MIKE BRANTON</i>	SCDC #: <i>W9081</i>	Housing Unit: <i>MA-41</i>	Date: <i>12/28/17</i>
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GENERAL MATERIAL

** Inmate must have the funds in his/her account to pay for the materials.

To be completed by
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		
Tape		
Box		
Electronic Repair		
Other		
Sub-Total:		

LEGAL MATERIAL

** Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

To be completed by
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		0
Other		
Sub-Total:		

*Annik L. Rumber
SCDC General
Counsel
(Reply Brief)
The Agency
Mail*

PHOTOCOPIES

** Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by
SCDC staff:

Item	Amount	Cost

DECEMBER 28, 2017

ANNIE L. RUMLER
SCDC GRNERAL COUNSEL
P.O. BOX 21787
COLUMBIA, SC 29221

RECEIVED
FEB 02 2018
SC Court of Appeals

Re MICHAEL BRAXTON V. SCDC
REPLY BRIEF SUBMISSION

PLEASE FIND ENCLOSED THE REPLY BRIEF OF THE APPELLANT MICHAEL BRAXTON ALONG WITH
PROOF OF SERVICE,

RESPECTFULLY,



MICHAEL BRAXTON^R 119081

MA-41

4848 GOLDMINE HWY
KERSHAW, SC 29067

CC: FILE

STATE OF SOUTH CAROLINA IN THE
COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT

MICHAEL BRAXTON[#] 119081

APPELLANT,

V.

PROOF OF SERVICE

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RESPONDENT,

APPELLATE CASE NO. 2017-001964

I HEREBY CERTIFY THAT (6) Six COPIES OF THE FORGOING DOCUMENT (S) Motion Requesting
permission to file + serve Reply + final brief WAS ON THIS DATE FILED AND SERVED ON THE FOLLOWING INDIVIDUAL (S)
BY PLACING A COPY OF THE SAME VIA INSTITUTIONAL U.S. MAIL SERVICE.

DATE January 30, 2018

RECEIVED

FEB 02 2018

SC Court of Appeals

cc THE SOUTH CAROLINA COURT OF APPEALS

THE HONORABLE PENNY ABBOTT KITCHINGS (CLERK)

THE HONORABLE V. CLAIRE ALLEN (DEPUTY CLERK)

P.O. BOX 11629

COLUMBIA, SC 29211

RESPECTFULLY SUBMITTED,

Michael Braxton

ANNIE L. RUMLER
SCDC GENERAL COUNSEL

P.O. BOX 21787

COLUMBIA, SC 29221

MICHAEL BRAXTON[#] 119081

MA-41

4848 GOLDMINE HWY

KERSHAW, SC 29067

FILE

JANUARY 30, 2018

TO THE HONORABLE JENNY ABBOTT KITCHINGS (CLERK)
THE HONORABLE V. CLAIRE ALLEN (DEPUTY CLERK)
P.O. BOX 11629
COLUMBIA, SC 29211

RECEIVED
FEB 02 2018
SC Court of Appeals

Re: MICHAEL BRAXTON[#] 119081 V. SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS.

(SUBMISSION OF FINAL BRIEF)

Submission of Motion Requesting Permission to Serve and File Reply Brief
and Final Brief Outside Filing Deadline Set by SCRAP Rule 211

DEAR MADAM CLERK,

PLEASE FIND ENCLOSED THE ORIGINAL PLUS ONE COPY OF THE FINAL BRIEF OF THE
APPELLANT MICHAEL BRAXTON. ADDITIONALLY ENCLOSED, IS THE APPELLANT'S MOTION
REQUESTING PERMISSION TO SERVE AND FILE HIS REPLY BRIEF AND FINAL BRIEF
OUTSIDE THE FILING DEADLINE SET BY SCRAP 211. PROOF OF SERVICE ACCOMPANY BOTH
FILINGS. Reply Brief also enclosed.

RESPECTFULLY,

Michael Braxton

cc: ANNIE L. RUMLER
SCDC GENERAL COUSEL
P.O. BOX 21787
COLUMBIA, SC 29210

FILE

M. JACOB BRANTON # 119081

MA-91

4848 GOLDMINE HWY

Kershaw, SC 29067

ans

SOUTH CAROLINA COURT OF APPEALS

RECEIVED

FEB 02 1988

SC Court of Appeals

To: THE HONORABLE JENNY ABBOTT KITCHINGS (CLERK)

THE HONORABLE V. CLARK ALLEN (DEPUTY CLERK)

P.O. Box 11629

COLUMBIA, S.C. 29211