

STATE OF SOUTH CAROLINA  
In The Court of Appeals

Appeal From The Administrative Law Court  
Administrative Law Judge Phillip S. LenSKI

ALC Case No. 17-ACT-04-0491-AP  
Appellate Case No. 2018-00548

Torrey DeAnn Manning, #364781,

Appellant,

V.

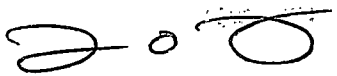
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

Respondent,

MOTION TO DISMISS

The appellant requests a motion to dismiss the Respondent's motion to file out of time. For the respondent hasn't given a sufficient cause to be excused. Because no external impediment prevented counsel from constructing a timely final Brief it's motion shouldn't be granted. Furthermore the pro se litigant has had numerous external impediments of institutional lockdowns which prevent access to legal research. But prevailed to get his final Brief in on time. Mere inadvertence or neglect does not constitute good cause. See *Prisco v. Frank* 929 F.2d 603, 604 (11th Cir. 1991) giving reason why the courts shouldn't grant the respondent's motion to file out of time. The respondent should be held to the same stipulations as the Appellant.

June 26, 2018

  
364781 Torrey D. Manning  
Kirkland C.I.  
4344 Broad River Rd.  
Columbia, S.C. 29210

**RECEIVED**

JUN 29 2018

SC Court of Appeals

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Administrative Law Judge Phillip S. Lenksi

ALC Case No. 17-ALJ-04-0491-AP  
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Torrey DeAund Manning, #364781,

Appellant,

V.  
South Carolina Department of Corrections

Respondent.

Proof of Service

I certify that I have served the Motion to Dismiss the Respondent's motion to file out of time on June 26, 2018. By depositing a copy of it in the United States mail postage prepaid on June 26, 2018. To Christina C. Bigelow S.C. Department of Corrections P.O. Box 21787 Columbia, S.C. 29221

June 26, 2018

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JUN 29 2018

SC Court of Appeals

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**LEGAL  
MAIL  
ONLY**



South Carolina Courts of Appeals  
Jenny A. Kitchings, Clerk  
P.O. Box 11629  
Columbia, S.C. 29211

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JUN 29 2018

SC Court of Appeals

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JUN 27 2018

**KIRKLAND R&E CENTER  
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