

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2018-001321

James Nathaniel Allen, #171214 ..... Respondent

v.

South Carolina Department of Corrections ..... Appellant.

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NOV 05 2018  
SC Court of Appeals

**APPELLANT’S LAST MOTION FOR AN EXTENSION OF THE  
DEADLINE BY WHICH IT MAY FILE ITS INITIAL BRIEF  
AND DESIGNATION OF MATTER**

For the reasons stated below, the Appellant, the South Carolina Department of Corrections [“SCDC”], by and through its undersigned counsel, again respectfully moves the Court for an extension of the deadline by which it may file its initial brief and designation of matter to be included in the record on appeal in the instant case.

By an order issued October 25, 2018, the Court granted the third (and regrettably styled “final”) extension motion filed by the Appellant’s undersigned counsel, and, by doing so, the Court established a November 5, 2018 deadline by which SCDC must file its initial brief and designation of matter.

By his instant motion, however, the Appellant’s undersigned counsel respectfully moves the Court to extend the deadline for filing SCDC’s brief and designation of matter **from Monday, November 5, 2018 to Monday, November 12, 2018.**



The Appellant's undersigned counsel so respectfully moves in light of obligations he both confronts in other matters, as well as those he has confronted since October 25, 2018, as detailed immediately below.

In a matter pending in federal court, styled as *Wilson v. Univ. of S. Carolina, et al.*, C/A No. 3:17-00447-MGL-TER, the Appellant's undersigned counsel attended mediation on the defendants' behalf on Tuesday, October 30, 2018. As a consequence of mediation in *Wilson* on October 30, 2018, the Appellant's undersigned counsel has been tasked with preparing several documents for consideration by the parties.

In a matter pending in federal court, styled as *Mayes, et al. v. Excelsior Ambulance, et al.*, C/A No. 3:17-02358-TLW, the Appellant's undersigned counsel is filing today, November 5, 2018, the defendants' reply to the plaintiffs' response in opposition to the defendants' motion in limine.

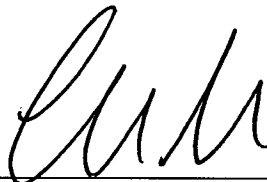
The Appellant's undersigned counsel is also filing with this Court today, November 5, 2018, SCDC's initial briefs and designations of matter in two (2) related cases styled as *George Wylie Mittag, #117736, v. S.C. Dep't of Corr.*, Appellate Case No. 2018-001323, and *Reyes Cabrera Pena, #265665, v. S.C. Dep't of Corr.*, Appellate Case No. 2018-001324.

The Appellant's undersigned counsel confronts a November 7, 2018 of filing a responsive pleading on behalf of the defendants in a matter pending in federal court styled as *Sanders v. S.C. Workers' Comp. Comm'n, et al.*, C/A No. 0:18-2601-JMC-PJG.

Finally, the Appellant's undersigned counsel must, on November 8, 2018, appear and defend a deposition in a matter pending in circuit court styled as *Singleton v. S.C. Dep't of Corr.*, C/A No. 2017-CP-40-7176.

Thus, for the foregoing reasons, the Appellant's undersigned counsel respectfully urges this Court to grant his instant motion, and, accordingly, he respectfully urges this Court to extend the deadline by which the Appellant must file its initial brief and designation of matter from Monday, November 5, 2018 to Monday, November 12, 2018.

**RESPECTFULLY SUBMITTED:**



November 5, 2018

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*Pro se* Respondent:

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Perry Correctional Institution Q-1-B-108  
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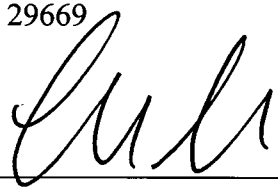
v.

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PROOF OF SERVICE

I certify that I have served the APPELLANT'S LAST MOTION FOR AN EXTENSION OF THE DEADLINE BY WHICH IT MAY FILE ITS INITIAL BRIEF AND DESIGNATION OF MATTER on the above named *pro se* Respondent by mailing a copy to him, first class postage pre-paid, at the following address:

James Nathaniel Allen, #171214  
Perry Correctional Institution Q-1-B-108  
430 Oaklawn Road  
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November 5, 2018

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