

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Deborah Brooks Durden, Administrative Law Judge

Appellate Case No. 2016-000285
Administrative Law Court Docket No. 12-ALJ-04-00143-AP

RECEIVED
DEC 28 2018
SC Court of Appeals

Thomas J. Torrence, #094651 Respondent,

v.

South Carolina Department of Corrections Appellant.

**APPELLANT'S SECOND MOTION FOR AN EXTENSION OF THE
DEADLINE BY WHICH IT MAY FILE
A PETITION FOR REHEARING**

By an unpublished decision filed November 28, 2018, the Court dismissed the appeal filed by the Appellant, the South Carolina Department of Corrections ["SCDC"], in the instant matter.

By way of background, the South Carolina Administrative Law Court ["ALC"], on January 30, 2014 and January 20, 2016, issued the two (2) orders appealed by SCDC to this Court. On February 17, 2016, SCDC filed its notice of appeal with this Court concerning the two (2) aforementioned orders from the ALC. Thomas J. Torrence, the Respondent, filed his final brief with this Court on December 30, 2016, and SCDC filed both its final brief and its final reply brief with this Court on January 3, 2017.

On December 11, 2018, SCDC, by and through its undersigned counsel, respectfully moved the Court for an extension of the deadline by which it may file a petition for rehearing in the instant matter. SCDC moved the Court to extend the aforementioned deadline from December 13, 2018 to December 28, 2018, and the Court issued an order on December 13, 2018 granting SCDC's December 11, 2018 motion.

For the reasons stated below, SCDC, by and through its undersigned counsel, again respectfully moves the Court for an extension of the deadline by which it may file a petition for rehearing in the instant matter.

Specifically, SCDC's undersigned counsel now respectfully moves this Court for an extension of the deadline by which SCDC must file and serve a petition for rehearing from Friday, December 28, 2018 to Monday, January 7, 2019.

SCDC's undersigned counsel so moves in light of deadlines he continues to confront in other matters pending in circuit court and federal court.

SCDC's undersigned counsel also so moves in light of the recent Christmas Eve and Christmas Day holidays on Monday, December 24, 2018 and Tuesday, December 25, 2018, as well as the upcoming New Year's Day holiday on Tuesday, January 1, 2019.

SCDC's undersigned counsel finally so moves in light of the need to take one of his children to a medical appointment in Greenville, South Carolina on Friday, December 28, 2018.

For these reasons, SCDC's undersigned counsel respectfully urges this Court to grant his instant motion, and, accordingly, SCDC's undersigned counsel respectfully urges this Court to again extend the deadline by which SCDC may file and serve a petition for rehearing regarding the Court's November 28, 2018 unpublished decision in this instant matter until Monday, January 7, 2019.

RESPECTFULLY SUBMITTED:



December 28, 2018

Lake E. Summers

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Pro se Respondent:

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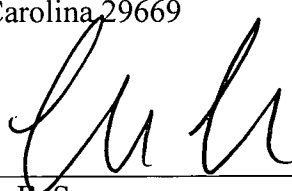
South Carolina Department of Corrections Appellant.

PROOF OF SERVICE

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

Thomas J. Torrence, #094651
Perry Correctional Institution
430 Oaklawn Drive
Pelzer, South Carolina 29669

December 28, 2018



Lake E. Summers