

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

RECEIVED
JAN 10 2019
SC Court of Appeals

James Nathaniel Allen, #171214 Respondent,

v.

South Carolina Department of Corrections Appellant.

**APPELLANT’S MOTION FOR AN EXTENSION OF THE
DEADLINE BY WHICH IT MAY FILE ITS REPLY BRIEF**

For the reasons stated below, the Appellant, the South Carolina Department of Corrections [“SCDC”], by and through its undersigned counsel, respectfully moves the Court for an extension of the deadline by which it may file its reply brief in the instant matter.

SCDC’s undersigned counsel received the Respondent’s initial brief via United States Mail on January 2, 2019. The allied roof of service reflects that the Respondent served his initial brief on December 31, 2018. For clarity’s sake, SCDC’s undersigned counsel did not receive a designation of matter to be included in the record on appeal from the Respondent on or after January 2, 2019.

Given the above-stated chronology, SCDC’s reply brief is due **today, January 10, 2019**. However, given the conclusion of the recent holiday season and obligations he confronts in other matters pending in federal court, circuit court, and this Court, SCDC’s undersigned counsel respectfully moves for an extension of the deadline by which to file and serve SCDC’s reply

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brief in the instant matter **from today, January 10, 2019 to no later than Tuesday, January 22, 2019.**

Accordingly, 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 reply brief until **no later than Tuesday, January 22, 2019.**

RESPECTFULLY SUBMITTED:



January 10, 2019

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Counsel for the Appellant

Pro se Respondent:

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Pelzer, South Carolina 29669

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PROOF OF SERVICE

I certify that I have served the **APPELLANT'S MOTION FOR AN EXTENSION OF THE DEADLINE BY WHICH IT MAY FILE ITS REPLY BRIEF** 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
Pelzer, South Carolina 29669

January 10, 2019



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