

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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SG Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2018-002046

Quincy Allen, ..... Appellant,

v.

South Carolina Department of Corrections, ..... Respondent.

***Petition to Accept, as Filed, the Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal***

Counsel for Quincy Allen petitions this Court for an order accepting, as filed, the Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal. This motion is based on the following grounds:

- 1) Mr. Allen represented himself in an appeal of a Final Agency Decision of the South Carolina Department of Corrections to the Administrative Law Judge Division. After the Administrative Law Judge dismissed Mr. Allen’s appeal, undersigned counsel agreed to represent Mr. Allen *pro bono* on the appeal to this Court. Counsel filed the notice of appeal on November 14, 2018.
- 2) Undersigned counsel requested and this Court granted an extension to file the Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal until January 14, 2019.

3) Undersigned counsel experienced an unusually busy January. Counsel attended a court ordered mediation on January 14, 2019 in *Coats v. Pope, et. al.*, Case No. 1:17-cv-02930-TLW-SVH (a wrongful death case), participated in a day long trial on January 16, 2019 in *Katie Harris v. State*, Spartanburg County Case No. 2017-CP-42-02140 (PCR in homicide by child abuse case), prepared for and attended a two day trial on January 22-23, 2019 in *State v. Jared Waning* (SC National Guard Court-Martial), prepared for and attended an evidentiary hearing on January 24, 2019 in *Curtis Elgin v. State*, Fairfield County Case No. 2012-CP-20-00232 (PCR in murder case); and prepared for and attended depositions in *Coats v. Pope, supra*, on January 29-31, 2019.

4) During a routine review of appellate cases during the weekend of January 19-21, 2019, undersigned counsel realized he over looked requesting a second extension. On January 22, 2019 counsel filed a second request for an extension and requested this Court accept that request out of time. On that same date, the Court wrote counsel stating the time for filing the Initial Brief of Appellant had passed.

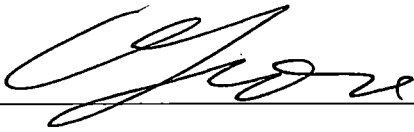
5) Contemporaneously with filing this motion, undersigned counsel filed Mr. Allen's Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal.

Undersigned counsel, therefore, respectfully requests this Court accept, as filed, Mr. Allen's Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal. Counsel apologizes for any inconvenience to this Court or opposing counsel.

(signature on next page)

IT IS SO MOVED.

Respectfully Submitted,

By  \_\_\_\_\_

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*Attorney for Quincy Allen*

February 4, 2019  
Greenwood, South Carolina

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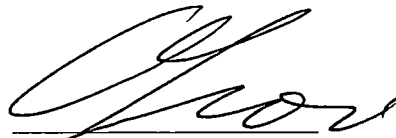
v.

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*Certificate of Service*

I certify that I have served this pleading by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed as follows:

Annie Laurie Rumler, Esquire  
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