

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, *Administrative Law Judge*

Lower Case No. 18-ALJ-04-0063-AP

Appellate Case No. 2018-000722

RECEIVED
MAY 02 2019
SC Court of Appeals

Darrell Sturkey, # 182368,.....Appellant,

v.

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

MOTION TO FILE AN AMENDED INITIAL BRIEF

Respondent, South Carolina Department of Corrections (SCDC or Department), respectfully requests this Court for leave to file an Amended Initial Brief to correct errors in the Table of Authorities, Statement of the Issues On Appeal, and Argument section in its brief filed on April 29, 2019, for the following reasons:

The Initial Brief of Respondent filed Monday, April 29, 2019, references subject matter jurisdiction instead of jurisdiction in the Statement of the Issues on Appeal and in Argument I. In addition, Respondent inadvertently omitted SCALC Rule 59 from its Table of Authorities. Respondent corrects these errors from the brief but otherwise makes no changes to the brief.

WHEREFORE, Respondent respectfully requests this Court grant leave to file an Amended Initial Brief.

{Signature Page to Follow}

Respectfully submitted,



Imani Diane Byas
Staff Attorney
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P.O. Box 21787
Columbia, South Carolina 29221
(803) 896-1278

Attorney for Respondent

Columbia, South Carolina
May 2, 2019

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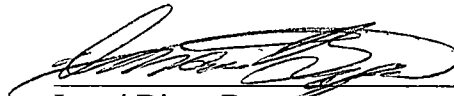
v.

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

CERTIFICATE OF SERVICE

I hereby certify that on this day I have served Appellant a copy of the foregoing **MOTION TO FILE AN AMENDED INITIAL BRIEF** by depositing a copy of same in the United States Mail, addressed to the Appellant as follows:

Darrell Sturkey, # 182368
Tyger River Correctional Institution
100-200 Prison Road
U7-0127-B
Enoree, SC 29335



Imani Diane Byas
Staff Attorney
Office of General Counsel
South Carolina Department of Corrections
P.O. Box 21787
Columbia, SC 29221
Attorney for Respondent

May 2, 2019



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Safety, Service, and Stewardship

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

May 2, 2019

The Honorable Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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RE: Darrell Sturkey, #182368, v. South Carolina Department of Corrections
Appellate Case No. 2018-000722

Dear Ms. Kitchings:

Enclosed please find Respondent's **Motion to File an Amended Initial Brief and Amended Initial Brief of Respondent** in the above captioned appeal, along with **Proof of Service**.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Imani Diane Byas
Staff Attorney
South Carolina Department of Corrections

cc: Darrell Sturkey, # 182368
Tyger River Correctional Institution
100-200 Prison Road
U7-0127-B
Enoree, SC 29335



SOUTH CAROLINA

DEPARTMENT OF CORRECTIONS

Office of General Counsel

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The Honorable Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
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