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JUL 25 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT  
South Carolina Department of Probation, Parole and Pardon Services

S. Phillip Lenski, Administrative Law Judge

Appellate Case No. 2019-000934

Bernard Bagley, #175851

Appellant,

v.

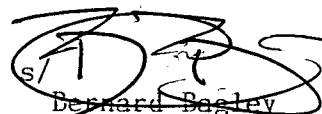
South Carolina Department of Probation,  
Parole and Pardon Services,

Respondent.

APPELLANT'S MOTION REQUESTING PERMISSION  
TO SERVE AND FILE THE INITIAL BRIEF AND DESIGNATION  
OUTSIDE OF THE FILING DEADLINES SET BY RULES 208 AND 209 OF THE SCACR

This motion comes before the court in response to the deputy clerk's letter dated July 16, 2019, indicating that there records reflect that the time for serving and filing the appellant's initial brief and designation of matter has expired. Within 10 days of the date of this letter (July 16, 2019), Appellant must serve and file the initial brief and designation of matter, along with a motion requesting permission.

In an abundance of precaution, Appellant submits this motion requesting permission; however, please be advise that Appellant served and mailed the foregoing on July 11, 2019, via institutional mail, postage prepaid in the amount \$2.00 and 60¢ total. Also Note, Appellant received the court's letter dated June 6, 2019, on June 17, 2019, due to the mailroom officials was out and there was no one to issue out legal mail for at least 2 days during that month and week. In addition, movement was restricted whereby inmates were not allowed to go to the mailroom. Also, it's beyond Appellant's control when he received or when mail leaves the institution. [I]did not not receive the appellate case number 2019-000934 until the 17th of June, and Appellant's brief, and designation of matter was mailed to this court on the 11th of July. Nevertheless, Appellant requests that the brief and designation of matter be serve and file outside of the filing deadlines.

  
Bernard Bagley  
#175851/HD133/Ker.CI  
4848 Goldmine Hwy.  
Kershaw, SC 29067

July 19, 2019

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT  
S.C. Department of Probation, Parole and Pardon Services

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S. Phillip Lenski, Administrative Law Judge  
Appellate Case No. 2019-000934

JUL 25 2019

SC Court of Appeals

Bernard Bagley, #175851

Appellant

v.

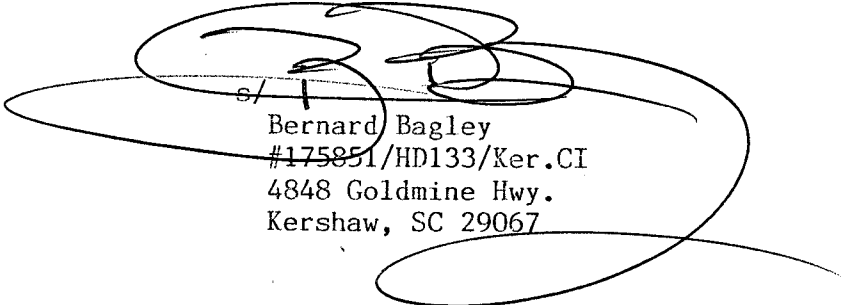
South Carolina Department of Probation,  
Parole and Pardon Services,

Respondent.

PROOF OF SERVICE

I certify that I have served Appellant's Motion Requesting Permission to Serve and file the Initial Brief and designation Outside of the Filing Deadlines Set by Rules 208 and 209 of the SCACR, and Motion and Affidavit to Proceed In Forma Pauperis with this motion on the Respondent by depositing a copy of the same in the U.S. Mail. postage prepaid, on July 19, 2019, addressed as follows: SCDPPPS

Tommy Evans, Jr.  
Asst. General Counsel  
P.O. Box 50666  
Columbia, SC 29250

  
s/ Bernard Bagley  
#175851/HD133/Ker.CI  
4848 Goldmine Hwy.  
Kershaw, SC 29067

July 19, 2019

July 19, 2019

SC Court of Appeals  
Jenny A. Kitchings, Clerk  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**  
JUL 25 2019  
SC Court of Appeals

RE: Bagley v. SCDPPPS, 2019-000934

Dear Ms. Kitchings:

If you may, please informed me when does the 30 days apply to file an initial brief once the notice of appeal has been filed?

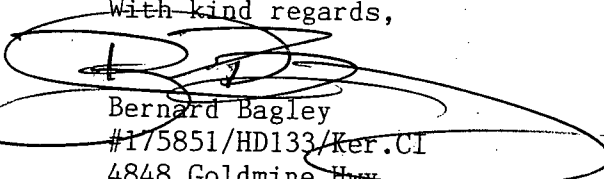
Although an inmate mail or submit his notice of appeal to the court they do not know when it's filed until receiving a letter from your office providing the appellate case number with any other relevant information required.

As stated in my motion herein the letter dated from your office is June 6, 2019, which was received at the institution on the 10th of June, 2019, but I did not receive it until the 17th of June. Be that as it may, when does the 30 days begin for filing Appellant's Initial Brief? /

There need to be clarity regarding this matter. Hopefully my motion will explain the problem and the confusing being caused.

Thank you for your attention and findings.

With kind regards,



Bernard Bagley  
#175851/HD133/Ker.CI  
4848 Goldmine Hwy.  
Kershaw, SC 29067

Enclosures

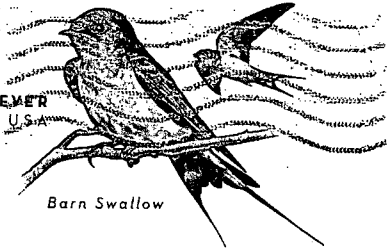
cc: Tommy Evans, Jr., SCDPPPS

30 Bagley  
5141 133 Ter. c.  
3 Goldmine Hwy.  
Columbia, S.C. 29067

COLUMBIA SC 290

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JUL 25 2019

SC Court of Appeals

S.C. Court of Appeals  
Jenay A. Kitchings, Clerk  
P.O. Box 11629

COLUMBIA, S.C. 29211-1629

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