

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Lancaster County  
Honorable R. Knox McMahan, Circuit Court Judge  
Appellate Case Tracking No. 2016-001566

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Opinion No. 2016-UP-198  
2012-CP-291549

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IN THE MATTER OF THE CARE AND TREATMENT OF KENNETH  
CAMPBELL,

PETITIONER.

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**MOTION TO FILE OUT OF TIME RETURN TO PETITION FOR WRIT  
OF CERTIORARI**

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Respondent, State of South Carolina, hereby moves to serve and file Respondent's Return to Petition for Writ of Certiorari out of time. This motion is based on the following:

1. The Return to Petition for Writ of Certiorari was due to be served and filed August 29, 2016. Except for mandatory training for 3 hours on August 25, 2016, Counsel was out of the office August 22, 2016 through August 31, 2016, on medically required work restriction, and returned to the Office on September 1, 2016. Upon her return, counsel discovered an oversight on her part resulted in failure to file and serve the Return in this case.

2. Respondent's Return is completed and a copy is attached to this motion. In addition, the original and seven copies are submitted for filing in the event the Court grants the motion.

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SEP 08 2016

**S.C. SUPREME COURT**

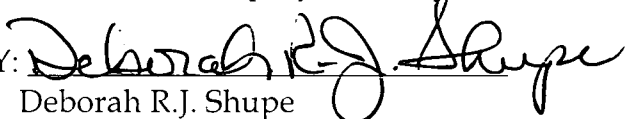
3. The undersigned consulted with counsel for the Petitioner, and as evidenced by her signature below, consents to the requested relief.

4. Based on the foregoing, counsel for Respondent respectfully requests that this Court grant the Motion to File Out of Time Return to Petition for Writ of Certiorari, hold all deadlines in abeyance pending resolution of this motion, and accept Respondent's Return if the motion is granted.

Respectfully submitted,

ALAN WILSON  
Attorney General

DEBORAH R.J. SHUPE  
Senior Assistant Deputy Attorney General

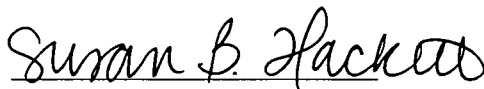
BY:   
Deborah R.J. Shupe

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

September 1, 2016

I Consent:



Susan B. Hackett, Esquire  
Assistant Appellate Defender  
Counsel for Appellant

STATE OF SOUTH CAROLINA

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IN THE MATTER OF THE CARE AND TREATMENT OF KENNETH  
CAMPBELL,

PETITIONER.

—————  
PROOF OF SERVICE  
—————

I, Sally Ellison, certify that I have served the Motion to File Return to Petition for Writ of Certiorari Out of Time, on Petitioner, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

Susan B. Hackett, Esquire  
Appellate Defender  
SC Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

This 2nd. day of September, 2016

  
SALLY ELLISON

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3970

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**S.C. SUPREME COURT**

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**SC Attorney General's Office**

J. Benjamin Aplin, Senior Assistant Deputy Attorney General  
Post Office Box 11549 -- Columbia SC 29211-1549

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

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