

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. 2018-001324

RECEIVED
AUG 26 2019
SC Court of Appeals

Reyes Cabrera Pena, #265665 Respondent,

v.

South Carolina Department of Corrections Appellant.

MOTION TO SERVE THE RECORD ON APPEAL OUT OF TIME


By correspondence dated August 16, 2019, the Clerk of the Court of Appeals notified the undersigned counsel for the Appellant, the South Carolina Department of Corrections ["SCDC"], that the time for serving the record on appeal in the above-captioned matter had expired.

The same correspondence advised SCDC's undersigned counsel that he must serve the record on appeal, along with the instant motion requesting permission to serve the record outside of the filing deadlines set by South Carolina Appellate Court Rule ["SCACR"] 210, within 10 days.

Thus, in satisfaction of the August 16, 2019 correspondence from the Clerk, SCDC's undersigned counsel respectfully moves the Court for permission to serve the record outside the filing deadlines set by SCACR 210.

In so moving, SCDC's undersigned counsel is concurrently serving a copy of the record upon the pro se Respondent via United States Mail, and SCDC's undersigned counsel is filing a proof of service with the Clerk confirming the same.

RESPECTFULLY SUBMITTED:



August 26, 2019

Lake E. Summers
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Counsel for Appellant

Pro se Respondent:

Reyes Cabrera Pena, #265665
Perry Correctional Institution Q-1-A-207
430 Oaklawn Road
Pelzer, South Carolina 29669

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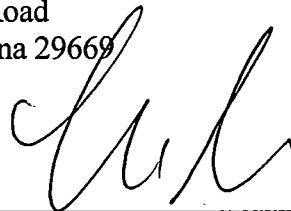
v.

South Carolina Department of Corrections Appellant.

PROOF OF SERVICE

I certify that I have served the **RECORD ON APPEAL** on the above named *pro se* Respondent by mailing a copy to him, first class postage pre-paid, at the following address:

Reyes Cabrera Pena, #265665
Perry Correctional Institution Q-1-A-207
430 Oaklawn Road
Pelzer, South Carolina 29669



Lake E. Summers

August 26, 2019

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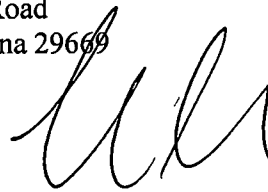
v.

South Carolina Department of Corrections Appellant.

PROOF OF SERVICE

I certify that I have served the **APPELLANT'S MOTION TO SERVE THE RECORD ON APPEAL OUT OF TIME** on the above-named *pro se* Respondent by depositing a copy of it in the United States Mail, First Class Postage Pre-Paid, to the Respondent's Counsel addressed as follows:

Reyes Cabrera Pena, #265665
Perry Correctional Institution Q-1-A-207
430 Oaklawn Road
Pelzer, South Carolina 29669



August 26, 2019

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