

91395/
91396

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable H.W. Funderburk, Jr.
Administrative Law Judge

Case No. 18-ALJ-15-0029-AP
Appellate Case No. 2019-001368

RECEIVED
NOV 07 2019
SC Court of Appeals

David George Smith, #110951, Respondent,
v.
South Carolina Department of Probation, Parole, and Appellant.
Pardon Services,

CONSENT MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S INITIAL
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD

Respondent David G. Smith, by undersigned counsel and with the consent of Appellant South Carolina Department of Probation, Parole and Pardon Services, respectfully requests an extension of time of thirty (30) days to file his Initial Brief and Designation of Matter to be Included in the Record. The current deadline is November 13, 2019. With the extension, the new deadline would be December 13, 2019.

Respondent was conditionally granted parole on October 30, 2019. If he meets the conditions of having a favorable psychological evaluation and proof of an acceptable residence

and employment, which is anticipated, there will be no need for the appeal to go forward.

Whether or not he meets those conditions should be resolved well before December 13, 2019.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:  _____

Stuart M. Andrews, Jr.

SC Bar No. 000400

E-Mail: stuart.andrews@nelsonmullins.com

Amber M. Hendrick

SC Bar No. 102963

E-Mail: amber.hendrick@nelsonmullins.com

1320 Main Street / 17th Floor

Post Office Box 11070 (29211-1070)

Columbia, SC 29201

(803) 799-2000

Attorneys for David George Smith

Columbia, South Carolina

November 7, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable H.W. Funderburk, Jr.
Administrative Law Judge

Case No. 18-ALJ-15-0029-AP
Appellate Case No. 2019-001368

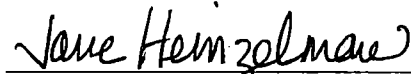
RECEIVED
NOV 07 2019
SC Court of Appeals

David George Smith, #110951, Respondent,
v.
South Carolina Department of Probation, Parole, and Appellant,
Pardon Services,

CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for David George Smith, do hereby certify that I have served all counsel in this action with a copy of the Consent Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in the Record by hand delivering a copy of same to the following address(es):

Counsel Served: Tommy Evans, Jr., Esquire
SC Department of Probation, Parole and Pardon Services
293 Greystone Boulevard
Post Office Box 207
Columbia, SC 29202



Jane Heinzelman
Senior Administrative Assistant

Columbia, South Carolina
November 7, 2019



NELSON MULLINS

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

Stuart M. Andrews, Jr.
T 803.255.9461 F 803.255.5506
stuart.andrews@nelsonmullins.com

1320 Main Street | 17th Floor
Columbia, SC 29201
T 803.799.2000 F 803.256.7500
nelsonmullins.com

November 7, 2019

The Honorable Jenny Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street, 5th Floor (29201)
Post Office Box 11629
Columbia, SC 29211

RECEIVED
NOV 07 2019
SC Court of Appeals

RE: David George Smith, #110951 v. SCDPPPS
Appellate Case No. 2019-001368
Case No. 18-ALJ-15-0029-AP
Our File No. 033999-01596

Dear Ms. Kitchings:

Please find enclosed the original and one copy of Respondent's Consent Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in the Record in the above-referenced matter. Please return a clocked-in copy of same to us via our courier.

By copy of this letter to Appellant, we are hereby serving them with a copy of this letter and motion.

Very truly yours,

Stuart M. Andrews, Jr.

SMA:jh
Enclosure
cc: Tommy Evans, Jr., Esquire