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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

Deborah Brooks Durden, Administrative Law Judge

Appellate Case No. 2019-001490
Lower Court Case No. 2012-ALJ-04-0143-AP

Thomas J. Torrence, #094651 Respondent,

v.

South Carolina Department of Corrections Petitioner.

**MOTION FOR AN EXTENSION UNTIL MAY 18, 2020 OF THE DEADLINE
BY WHICH THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
MAY FILE ITS BRIEF ON CERTIORARI**

By an order dated April 14, 2020, this Court granted the motion filed by the undersigned counsel for the Petitioner, the South Carolina Department of Corrections [“SCDC”], to extend the deadline by which it may file its brief on certiorari from April 13, 2020 to May 13, 2020.

By his instant motion, SCDC’s undersigned counsel respectfully moves this Court, under the circumstances described below, for an extension of the May 13, 2020 deadline associated with its brief on certiorari. Specifically, SCDC’s undersigned counsel respectfully moves this Court to extend the deadline from Wednesday, May 13, 2020 to Monday, May 18, 2020.

SCDC’s undersigned counsel so moves given deadlines and obligations he has confronted in other cases pending in both circuit court and federal court since April 13, 2020, and he respectfully provides the following examples:

On April 22, 2020, SCDC's undersigned counsel filed a reply to the plaintiff's objections to the Report and Recommendation issued by the presiding United States Magistrate Judge in the matter styled as *Patricia Crouch v. S.C. Dep't of Trans.*, C/A No. 3:18-2045-MGL (United States District Court – Columbia Division).

On and since April 27, 2020, SCDC's undersigned counsel, who provides services to the South Carolina Law Enforcement Officers Association, has counseled law enforcement officers in various matters.

On April 29, 2020, SCDC's undersigned counsel filed a responsive pleading in the matter styled as *Pamela Green v. S.C. Dep't of Corr.*, C/A No. 2020-CP-40-1047 (Court of Common Pleas – Richland County).

Today, May 11, 2020, SCDC's undersigned counsel will defend two (2) depositions conducted telephonically by the plaintiff's counsel in the matter styled as *Gerald Kelley v. University of South Carolina*, C/A No. 3:19-1328-MGL-PJG (United States District Court – Columbia Division).

Along with the above-provided examples, SCDC's undersigned counsel moves in reliance upon Section (l)(1), entitled "Extensions of Time," from the order issued March 20, 2020 by this Court and styled as "Operation of the Appellate Courts During the Coronavirus Emergency," Appellate Case No. 2020-000447.

SCDC's undersigned counsel respectfully asserts that an extension until Monday, May 18, 2020 of the deadline by which it may file its brief on certiorari will not prejudice or otherwise detrimentally impact the rights of the self-represented Respondent.

SCDC's undersigned counsel is serving a copy of his instant motion via United States Mail upon the self-represented Respondent.

For all the above-provided reasons, SCDC's undersigned counsel respectfully urges this Court to grant his instant motion and, by doing so, extend the deadline by which SCDC may file and serve its brief on certiorari until Monday, May 18, 2020.

RESPECTFULLY SUBMITTED:

s/Lake E. Summers

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May 11, 2020

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