

The State of South Carolina
IN THE COURT OF APPEALS

Appeal From The Administrative Law Court
Deborah Brooks Durdell Administrative Law Judge

Appellate Case No. 2020-000-582

JEROME McFadden, #136919, Appellant

v.

South Carolina Department of Corrections, Respondent

Motion For Extension of Time To file
Initial Brief And Matters Designated
ON Appeal

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The Appellant JEROME McFadden, #136919, moves the court to extend the time for filing the initial brief of Appellant and matters designated on appeal. In support of the Motion, the Appellant shows the following to the court:

1. PERSONNEL that operates the law library here was out most of March and all EXCEPT the last week of April and the library was close which denied me adequate EXCESS NEEDED to RESEARCH and draft an adequate brief;
2. The CORONA pandemic will impact on how many officers come to work day-to-day which also will limit my having EXCESS to the law library;
3. As a pro se litigant additional time is required-

to read and comply with the rules.

With regard to a Memorandum of Law. *IN HENNING V. KAYE* 307 S.C. 436, 415 S.E.2d 794 March 17, 1992, The Supreme Court, HARWELL, C.J., held that "failure to comply with appellate court rules with regard to initial brief did not require dismissal"; that, "Appellate court rules are not mere technicalities but provide the parties and this court with an orderly mechanism through which to guide appeals in this state".

Wherefore, Appellant respectfully submits that good cause exists for the Court to extend the time for filing the brief beyond the order of the Court granting Appellant leave to proceed *in forma pauperis* dated Apr. 29, 2020

So mote it be!

Jerome McFadden

Jerome McFadden #1326919
Pulley Correctional Institution
430 OAKLAND ROAD
PULLEY, SC 29669

This 18th day of May 2020

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V.
South Carolina Department of Corrections, Respondent

CERTIFICATE OF SERVICE

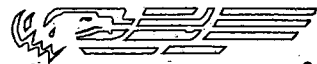
I HEREBY CERTIFY THAT I HAVE SERVED THE FOLLOWING
MOTIONS: 1. A MOTION FOR EXTENSION OF TIME TO FILE INITIAL
BRIEF AND MATTERS DESIGNATED ON APPEAL; 2. MOTION
FOR THE APPOINTMENT OF COUNSEL; 3. AND AN AFFIDAVIT IN
SUPPORT OF SAID MOTIONS ON COUNSEL FOR RESPONDENT
ANNIE LAURIE RUMLER, ESQUIRE, AT P.O. BOX 21787, 4444
BROAD RIVER ROAD, COLUMBIA, SC 29221, BY DEPOSITING SAME
IN THE INSTITUTION MAIL SYSTEM POSTAGE PREPAID.

THIS DAY OF MAY 2020

JEROME McFadden #136919
PERRY CORRECTIONAL INSTITUTION
430 OAKLAWN ROAD
PETER, SC. 29669



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COMMISSARY

South Carolina Court of Appeals
JENNY Abbott Kitchin, Clerk
Post OFFICE BOX 11629
Columbia, South Carolina 29211

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