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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Administrative Law Judge Milton G. Kimpson

ALC Case No. 19-ALJ-04-0296-AP
Appellate Case No. 2020-001252

James Primus, #252315.....Appellant,

v.

South Carolina Department of Corrections.....Respondent.

MOTION TO FILE OUT OF TIME

The Respondent’s Initial Brief and Designation of Matter was due by November 10, 2020. Due to an oversight by the undersigned, this time has passed. Wherefore, Respondent respectfully requests that this Court allow Respondent to file its Initial Brief and Designation of Matter out of time.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**



Imani Diane Byas

Staff Attorney

Office of General Counsel

S.C. Department of Corrections

Post Office Box 21787

Columbia, South Carolina 29221

(803) 896-8508

ATTORNEY FOR RESPONDENT

February 8, 2021

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CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that on today's date, I mailed a copy of the **Initial Brief of Respondent, Designation of Matter, and Motion to File out of Time** to Appellant, addressed as follows:

James Primus, #252315
MacDougall Correctional Institution
1516 Old Gilliard Road
Ridgeville, SC 29472



Imani Diane Byas
Staff Attorney
Office of General Counsel
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SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
Safety, Service, and Stewardship

HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

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SC Court of Appeals

February 8, 2021

The Honorable Jenny A. Kitchings
Clerk of Court, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: James Primus, #252315, v. South Carolina Department of Corrections
Appellate Case No. 2020-001252

Dear Ms. Kitchings:

Enclosed please find the **Initial Brief of Respondent, Designation of Matter to be Included in the Record on Appeal, and Motion to File out of Time**, in the above captioned appeal, along with **Proof of Service**.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Imani Diane Byas
Staff Attorney
South Carolina Department of Corrections
S.C. Bar No. 103715

cc: James Primus, #252315
MacDougall Correctional Institution
1516 Old Gilliard Road
Ridgeville, SC 29472