

**RECEIVED**

**May 18 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal From Berkeley County  
The Honorable Roger M. Young, Circuit Court Judge

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IN THE MATTER OF THE CARE AND  
TREATMENT OF CRAIG A. CARROLL,

APPELLATE CASE NO. 2020-000697

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**MOTION TO FILE FINAL BRIEF  
OF RESPONDENT OUT OF TIME**

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Respondent, through its undersigned attorney, would respectfully show as follows:

1. The Final Brief of Respondent was due to be served and filed on April 19, 2021.
2. The undersigned received the Record on Appeal via an attachment to an email from opposing counsel but was unable to open the attachment. Opposing counsel was immediately advised about the problem, and he was asked to provide another copy. To date, the new copy has not been received from opposing counsel, but after receiving the Court's notice that the Final Brief of Respondent was overdue, the State was able to obtain a copy via the C-Track system. Respondent respectfully requests it be allowed to file the Final Brief of Respondent out of time, which is submitted simultaneously with

this Motion. Respondent does not believe this request will result in any prejudice to Appellant should this Motion be granted.

3. Based on the foregoing, Respondent respectfully requests this Court hold this matter in abeyance pending a resolution of this motion, and grant Respondent the requested relief.

ALAN WILSON  
Attorney General

DEBORAH R.J. SHUPE  
Senior Assistant Deputy Attorney General

  
Deborah R.J. Shupe

ATTORNEYS FOR RESPONDENT  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3970

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Appeal from Berkeley County  
The Honorable Roger M. Young, Circuit Court Judge  
Appellate Case No. 2020-000697

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In the Matter of the Care and Treatment  
of Craig A. Carroll,

Appellant.

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**PROOF OF SERVICE**

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I, Sally B. Ellison, certify I served the within Motion to File Final Brief of Respondent Out of Time and Final Brief of Respondent on Appellant by email and by depositing one copy of the same in the United States mail, postage prepaid, addressed to:

James K. Falk, Esquire  
Falk Law Firm, LLC  
PO Box 1058  
Charleston, SC 29211

The Final Brief of Respondent has also been filed with the Court of Appeals through the AIS system.

I further certify that all parties required by Rule to be served have been served.

This 18th day of May, 2021.



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SALLY B. ELLISON  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29402  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

May 18, 2021

James K. Falk, Esquire  
Falk Law Firm, LLC  
PO Box 1058  
Charleston, SC 29402

RE: In the Matter of the Care and Treatment of Craig A. Carroll  
Appellate Case No. 2020-000697

Dear Mr. Falk:

Attached is a copy of the Final Brief of Respondent, along with Respondent's Motion to File Final Brief Out of Time, with proof of service, in the above-referenced case. The original Brief and Motion will be filed with the Court of Appeals today through AIS One Drive.

Sincerely,

Deborah R.J. Shupe  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 5098

DRJS/sbe  
Enclosures

cc: Honorable Jenny A. Kitchings (filed through AIS System)  
Victim Services

**Sally Ellison**

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**From:** Sally Ellison  
**Sent:** Tuesday, May 18, 2021 9:38 AM  
**To:** 'jfalklaw@gmail.com'  
**Cc:** Deborah Shupe; Sally Ellison; Victim Services  
**Subject:** In the Matter of the Care and Treatment of Craig A. Carroll Appellate Case No. 2020-000697  
**Attachments:** CARROLL Craig Allen In the Matter of. Final Brief of Respondent with Proof of Service Case No. 2020-000697 (02580878xD2C78).pdf; CARROLL Craig Allen Motion to File Final Brief of Respondent Out of Time with Proof of Service Case No. 2020-000697 (02580869xD2C78).pdf; CARROLL Craig Allen In the Matter of. Letter to Opposing Counsel serving Motion to File Final Brief Out of Time and Final Brief Case (02580868xD2C78).pdf

Good Morning Mr. Falk:

Attached for service this date are the following:

Letter of Service;  
Motion to File Final Brief Out of Time; and  
Final Brief of Respondent.

These documents will be filed today with the Court of Appeals through AIS One Drive. Copies will also be provided to you as set forth on the Proof of Service.

Please confirm receipt of this email and attachments. Thank you.

*Sally Ellison*  
*Legal Assistant*  
SC Attorney General's Office  
1000 Assembly Street  
Columbia, South Carolina 29201