

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JUN 01 2021

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

RAULPH K. ANDERSON, III, ADMINISTRATIVE LAW JUDGE

APPELLATE CASE NO. 2021-000436

SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS,

RESPONDENT,

V.

DERRECK B. WOODS, #197161

APPELLANT.

MOTION FOR ENLARGEMENT OF TIME
TO FILE DEFICIENCIES

DERRECK B. WOODS, 197161
MACDOUGALL CORRECTIONAL INST.
1516 OLD GILLIARD RD.
RIDGEVILLE SC, 29472

APPELLANT

RIDGEVILLE, SOUTH CAROLINA
MAY 27, 2021

MOTION FOR ENLARGEMENT OF TIME TO FILE DEFICIENCIES

THE APPELLANT, DERRICK B. WOODS, MOVES THE COURT FOR AN ORDER EXTENDING THE TIME FOR THE CORRECTION OF DEFICIENCIES BY 30 ADDITIONAL DAYS FROM THE DATE OF THE CLERK'S LAST LETTER WHICH WAS MAY 12, 2021. IN SUPPORT OF THIS MOTION THE APPELLANT SHOWS THE COURT THE FOLLOWING:

1. THIS MOTION IS BEING SUBMITTED OUTSIDE THE PERIOD PRESCRIBED BECAUSE THE APPELLANT ACTUALLY RECEIVED THE CLERK'S FIRST LETTER OF APRIL 29, 2021, ON THURSDAY MAY 20, 2021 AFTER 3 WEEKS HAD PASSED.

THE APPELLANT FILED THE NOTICE OF OF APPEAL ON 2 DAYS. THE FIRST NOTICE OF APPEAL WAS NOT SENT TO THE ADMINISTRATIVE LAW COURT OR GENERAL COUNSEL AMONG OTHER DEFICIENCIES. HOWEVER, APRIL 29, 2021 APPELLANT SENT THE NOTICE OF APPEAL TO THE ADMINISTRATIVE LAW COURT, SCDC GENERAL COUNSEL AND THE COURT OF APPEALS. HENCE, THE CLERK'S SECOND LETTER OF MAY 12, 2021 REQUESTING CORRECTION OF DEFICIENCIES THE APPELLANT ACTUALLY RECEIVED THIS LETTER ON WEDNESDAY MAY 26, 2021:

2. THE OTHER GROUNDS FOR THE MOTION ARE THAT ADDITIONAL TIME IS NEEDED TO ACQUIRE COPIES OF THE ADMINISTRATIVE ORDER, TO OBTAIN A RECENT FINANCIAL STATEMENT AND FURTHER BECAUSE THE UNIT THE APPELLANT IS CONFINED IN IS CURRENTLY UNDER QUARANTINE FOR COVID -19 WHICH WILL ONLY ALLOW LIMITED ACCESS AND NO MOVEMENT OUTSIDE OF THE BUILDING. THE UNIT HAS BEEN UNDER QUARANTINE SINCE MAY 6, 2021. THE APPELLANT HAS SUBMITTED A FINANCIAL STATEMENT WITH THE MOTION TO PROCEED IN FORMA PAUPERIS FROM OCTOBER 2020 BUT IS STILL REQUESTING A MORE RECENT ONE.

WHEREFORE, THE APPELLANT RESPECTFULLY REQUESTS THAT THE TIME FOR THE CORRECTION OF DEFICIENCIES BE EXTENDED BY 30 DAYS TO AND INCLUDING THE DATE OF EXTENSION.

RESPECTFULLY SUBMITTED
THIS 27 DAY OF MAY 2021

D B Woods

DERRICK B. WOODS, 197161
MACDOUGALL CORRECTIONAL INST.
1516 OLD GILLIARD RD.
RIDGEVILLE SC 29472

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RALPH K. ANDERSON, III ADMINISTRATIVE LAW JUDGE

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SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS,

RESPONDENT,

V.


DERRICK B. WOODS, # 197161

APPELLANT.

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE MOTION FOR ENLARGEMENT OF TIME ON THE CLERK OF THE SOUTH CAROLINA COURT OF APPEALS BY DEPOSITING IT IN THE UNITED STATES MAIL VIA THE PRISON MAIL ROOM POSTAGE PREPAID ADDRESSED AS FOLLOWS:

JENNY ABBOTT KITCHINGS, CLERK
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET
COLUMBIA, SC 29201


DERRICK B. WOODS
MACDOUGALL CORR. INST
1516 OLD GILBERT RD.
RIDGEVILLE SC, 29472

APPELLANT

MAY 27, 2021

JENNY ABBOTT KITCHINGS, CLERK
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET
COLUMBIA, SC 29201

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SC Court of Appeals

MAY 27, 2021

RE: APPELLATE CASE NO.
2021-000436

DEAR MS. KITCHINGS:

I AM ENCLOSING THE MOTION(S) TO ENLARGE TIME TO FILE CORRECTIONS OF DEFICIENCIES AND TO PROCEED WITHOUT PAYMENT OF COSTS OR FEES (IN FORMA PAUPERIS). I HAVE ALSO ENCLOSED THE FOLLOWING:

1. PROOF OF SERVICE OF THE NOTICE OF APPEAL ON THE RESPONDENT(S);
2. THE ORDER AND/OR JUDGEMENT CHALLENGED ON APPEAL, AND;
3. A FINANCIAL STATEMENT FROM OCTOBER 2021 BUT WHICH I STATE SHOULD ACCURATELY REFLECT MY FINANCIAL STATUS AS IT IS ABOUT THE SAME OR LESS TO DATE. I AM WORKING TO OBTAIN A MORE RECENT ONE AND WILL PROVIDE IT AS SOON AS I CAN.

PLEASE FILE THE ENCLOSED AND RETURN FILE-STAMPED COPIES TO ME.

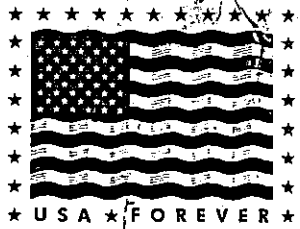
RESPECTFULLY SUBMITTED,

D B Woods

DERICK B. WOODS, #197161
MACDOUGALL CORRECTIONAL INST.
1516 OLD GILLIARD RD.
RIDGEVILLE SC 29472

APPELLANT

EDMUND B. WOODS, #197161
MACDOUGAL CORRECTIONAL INST.
1516 OLD GILLIARD RD.
RIDGEVILLE, SC 29472



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