

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Letitia H. Verdin

Common Pleas Case Number: 2021-CP-23-0362

Appellate Case No. 2021-001504

JAYNE LAFORGE STOVALL,

Appellant,

v.

PAULETTE B. STOVALL AND
WILLIAM S. STOVALL OF WHOM
PAULETTE B. STOVALL IS THE
RESPONDENT,

Appellee

**Memorandum in Support of
Motion for Leave to Immediately File out of Time**

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TABLE OF AUTHORITIES

Rules

R. 208, SCACR.....1
R. 263, SCACR.....1

COMES NOW Respondent Paulette Stovall as a Co-Trustee of the William Stephen Stovall Trust ("Respondent") and would respectfully show the Court as follows in reply in support of its Motion for Leave to Immediately File Out of Time.

STATEMENT OF THE CASE¹

The Appellee's brief was due on July 27, 2022, and that day has passed. The Appellee has not previously asked for or been awarded any prior extensions of time to file the brief.

ARGUMENT

Rule 208(a)(2) requires Respondent's brief to be served within thirty (30) days after service of Appellant's brief. R. (208)(b)(1)(B), SCACR. However, Rule 208(a)(4) notes that should a respondent fail to timely file a brief, the appellate court may take such action as it deems proper. R. (208)(a)(4), SCACR. Additionally, Rule 263(b) reads in pertinent part: "The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof. R. 263, SCACR.

Due to confusion caused by the filing of Appellant's initial brief and amended initial brief, each of which contained noted deficiencies per this Court's June 22, 2022 and July 14, 2022 deficiency notices, Appellee inadvertently mis-calendared the initial brief deadline for July 29, 2022.

CONCLUSION

Appellee respectfully requests that this Court grant Appellee's Motion for Leave to Immediately File Out of Time.

Dated this 29th day of July 2022.

¹ Appellee will present an abridged statement of the case for purposes of this Motion only. Should this Court grant Appellee's Motion, a full and complete statement of the case will be provided as part of the initial brief or motion.

PAULETTE B. STOVALL

s/Devon M. Puriefoy

Devon M. Puriefoy

SC Bar No. 102097

Counsel for Respondent Paulette B. Stovall

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Proof of Service

I, the undersigned, served a copy of the foregoing on the following this 29th day of July, 2022, by U.S. Mail, First-Class Postage prepaid:

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Attorney for Respondent

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