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Aug 23 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
Mikell R. Scarborough, Master-In-Equity

Circuit Court Case No. 2018-CP-10-05739  
Appellate Case No. 2022-001165

Michael D. Royal .....Appellant,

v.

Free Kindergarten Association of Charleston,  
The Attorney General of the State of South Carolina,  
and the Charleston County School District..... Respondents.

**APPELLANT’S FIRST MOTION FOR EXTENSION OF TIME TO FILE INITIAL  
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD**

Appellant Michael D. Royal (“Appellant”), by and through his undersigned counsel, respectfully moves this Court, pursuant to Rules 240 and 263, SCACR, for entry of an order extending the time by which Appellant must file his initial brief and Designation of Matter to be Included in the Record on Appeal (“Designation of Matter”) by thirty (30) days. The grounds for this motion are as follows:

1. On August 17, 2022, Appellant timely filed his Notice of Appeal to this Court. No transcripts of the lower court proceedings must be ordered as Appellant is already in possession of the same. As such, the current deadline for Appellant to file his initial brief and Designation of Matter, under Rules 208(a) and 209(a), SCACR, is September 16, 2022.

2. Appellant seeks a 30-day extension of said deadline, pursuant to Rule 263(b) SCACR, to allow his counsel adequate time to prepare his initial brief.

3. This is Appellant's first request for an extension of time within which to file his initial brief and Designation of Matter. This request is supported by good cause and is not made in an effort to unnecessarily delay these proceedings, but rather is a request necessitated by Appellant's counsel's previously scheduled professional and family commitments.

4. In addition to multiple professional commitments in other cases, Appellant's counsel has plans to travel out of state for family vacation and a relative's wedding during the first two weeks of September.

5. Accordingly, Appellant respectfully requests that this Court enter an Order extending the deadline by which Appellant must file his initial brief and Designation of Matter by thirty (30) days, such that the proposed new deadline would be October 17, 2022. Granting this motion would promote the interests of justice as well as preserve Court resources.

6. This Motion is supported by the grounds set forth herein and the South Carolina Appellate Court Rules.

Respectfully submitted,

s/Evan P. Williams

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*COUNSEL FOR APPELLANT*

*MICHAEL D. ROYAL*

August 23, 2022

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Michael D. Royal .....Appellant,

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and the Charleston County School District..... Respondents.

PROOF OF SERVICE

I certify that I have served Appellant’s First Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record on the above-named Respondents via email to their respective counsel of record, on August 23, 2022, containing the above-referenced document as an attachment in .pdf, sent to the addresses shown below:

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*Counsel for Respondent Free Kindergarten  
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Respectfully submitted,

s/Evan P. Williams

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August 23, 2022

## VIA E-MAIL

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
ctappfilings@sccourts.org

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**Aug 23 2022**  
**SC Court of Appeals**

**Re: *Michael D. Royal v. Free Kindergarten Association of Charleston, et al.***  
**Appellate Case No. 2022-001165**

Dear Ms. Kitchings:

Please find enclosed, for filing in the above-captioned matter, Appellant's First Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record, and the Proof of Service for the same. Counsel for Respondents is being served with Appellant's motion by copy on the email transmitting this letter and the filing.

A check for the filing fee of \$50.00 is being mailed to the Court under separate cover.

Thank you for your assistance in this matter.

Yours Sincerely,



Evan P. Williams

Enclosure

cc (via e-mail only): A. Bright Ariail, Esq.  
Warren W. Ariail, Esq.  
Mary Frances Jowers, Esq.  
Kristin Simons, Esq.  
Patrick F. Stringer, Esq.  
Joseph K. Qualey, Esq.  
Zac Smith, Esq.