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**Nov 03 2022**  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Benjamin Culbertson, Circuit Court Judge

\_\_\_\_\_  
Appellate Case No. 2019-001556

John Kennedy,..... Appellant

v.

City of Myrtle Beach Police Department, and Amy Prock, Angela Kegler  
and John Pederson (in their individual capacities), ..... Respondents

\_\_\_\_\_  
MOTION FOR CONTINUANCE  
\_\_\_\_\_

Appellant, by and through his undersigned counsel, respectfully moves for a continuance regarding the upcoming hearing oral arguments in this matter set for November 15, 2022 for fourteen (14) days. This request of counsel is not made to delay the proceedings; Attorney Gist has a personal family matter out of state which he must attend at this time and will not be available. Counsel for Respondents has consented to this Motion.

Respectfully submitted,

s/Donald Gist  
Donald Gist, Esq.  
S.C. Bar No. 13098  
GISTL LAW FIRM, P.A.  
PO Box 30007  
Columbia SC 29230  
dtommygist@yahoo.com

*Attorney for Appellant*

November 3, 2022

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\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), the undersigned employee of Gist Law Firm, P.A., counsel for the Appellant, does hereby certify that service of the Motion for Continuance in the above-captioned matter was made upon all counsel of record by email only this 3rd day of November 2022 as follows:

Dirk L. Aydlette, III, Esq.  
T. Foster Haselden, Esq.  
Gignilliat, Savitz, & Bettis, LLP

Email: [daydlette@gsblaw.net](mailto:daydlette@gsblaw.net)  
[phaselden@gsblaw.net](mailto:phaselden@gsblaw.net)



\_\_\_\_\_  
Erica McCrea  
Associate Attorney  
Gist Law Firm, P.A.

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4400 North Main Street  
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Telephone (803) 771-8007  
Facsimile (803) 771-0063

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**ATTORNEYS-AT-LAW**  
Donald Gist  
Erica McCrea

Mailing Address  
P.O. Box 30007  
Columbia, South Carolina 29230

November 3, 2022

**VIA S.C. COURTS E-FILING**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629 Columbia, SC 29211  
ctappfilings@sccourts.org

RE: *John Kennedy v. City of Myrtle Beach Police Department*  
Appellate Case No. 2019-001556

Dear Ms. Kitchings:

Pursuant to Section (b)(2) of the Supreme Court's Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), please find enclosed for filing Appellant's Motion for Continuance regarding the above referenced matter.

By copy of this letter, I am serving copies on all counsel of record by email only pursuant to Section (d)(1) of the same Supreme Court Order. A check for the \$50 filing fee will be mailed to the Court by U.S. Mail.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,



Erica McCrea

Encl.: Appellant's Motion for Continuance

C: File  
Donald Gist, Esq.  
Dirk L. Aydlette, III, Esq.  
T. Foster Haselden, Esq.