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SC Court of Appeals

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

J. Cordell Maddox, Jr, Judge

Case No. 2017-CP-04-02099  
Appellate Case No. 2020-000421.

John Harbin,

Appellant,

v.

April Blair, Tracy Dunn, HUB Enterprises, Inc.,  
Shawn Conway, Gallivan White & Boyd,  
Sam Nikopoulos, and John Doe,

Respondents,

**MOTION TO FILE OUT OF TIME**

Appellant respectfully requests leave to file and serve out of time his Response to Respondents' Motions for Appellate Costs on Respondents in the above-mentioned case. In support of this request, Appellants state as follows:

Appellant seeks the time to respond to Respondents' requests for costs in a matter that was not frivolous. Such an extension would not prejudice the Respondents.

**s/Donald L. Smith**

Donald L. Smith (SC Bar#6699)

2722 W. Whitner Street

Anderson, SC 29626

Telephone: (864) 642-9284

Facsimile: (864) 642-9285

attorneydonaldsmith@gmail.com

*Attorney for Appellant*

Anderson, South Carolina  
November 2, 2022.

**ATTORNEY OFFICE OF DONALD SMITH**

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Anderson SC 29626  
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Donald L. Smith, Esquire

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November 2, 2022

The Honorable V. Claire Allen  
Chief Deputy Clerk  
PO Box 11629  
Columbia SC 29211

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RE: Ex Parte: Donald L. Smith (In re: Battersby v. Kirkham) **SC Court of Appeals**  
Appellate Case No.: 2020-000070

John Harbin v. April Blair  
Appellate Case No.: 2020-000421

Dear Ms. Kitchings:

Please find enclosed two (2) checks in the amount of \$50.00 each which represent the required funds for the enclosed Motions File Out of Time, I recently filed in both actions. If you need anything further to perfect these motions, please contact me, post haste.

With highest regards, I remain  
Very truly yours,



Donald L. Smith

DLS/ds

Enclosures

Attorney Office of Donald Smith  
- 2722 W. Whitner St.  
Anderson SC 29626

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**SC Court of Appeals**

The Honorable V. Claire Allen  
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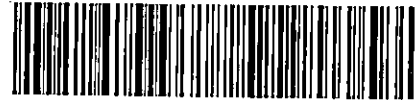
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