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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

Honorable T. Scott Beck, Commissioner  
Honorable Andrea C. Roche, Commissioner  
Honorable Melody L. James, Commissioner

RECEIVED  
JUN 19 2013  
SC Court of Appeals

W.C.C. Case No.: 1118397  
Case No.: 2013-000727

William Rhodes,

Appellant,

v.

MB Kahn Construction and Hewitt,  
Coleman & Associates, Inc.,

Respondents.

**MOTION FOR EXTENSION AND TO FILE BRIEF OUT OF TIME**

Pursuant to Rules 240 and 263, SCACR, Appellant Mr. William Rhodes hereby moves for leave of the Court for an extension of time to allow him to file Appellant's Initial Brief out of time. As the administrative tribunal's transcript was received in undersigned's office on April 2, 2013 (prior to Appellant's Notice of Appeal), the thirty day deadline as prescribed by Rule 208 (a) (1), SCACR began as of the date the Appellant filed his Notice of Appeal and therefore expired on May 6, 2013.

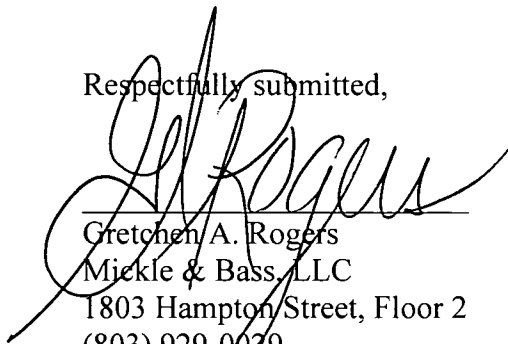
This Motion is based upon the following facts: (1) the undersigned's office received the administrative tribunal's hearing transcript on April 2, 2013 (prior to the Appellant serving his Notice of Appeal); (2) on May 5, 2013, Appellant forwarded a letter to the Court of Appeals that

pursuant to SCACR 207(b) the administrative tribunal's hearing transcript had been received; (3) due to an administrative error, the filing deadline of May 6, 2013 was not placed on the undersigned's calendar.

Rule 263 (b), SCACR, permits this Court to extend time for performing any act under the South Carolina Appellate Court Rules except the time for serving the Notice of Appeal. In view of this fact, the Appellant respectfully requests leave of the Court to exercise its discretion and extend the deadline for filing the Appellant's Initial Brief.

June 19, 2013

Respectfully submitted,



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Attorney for Appellant

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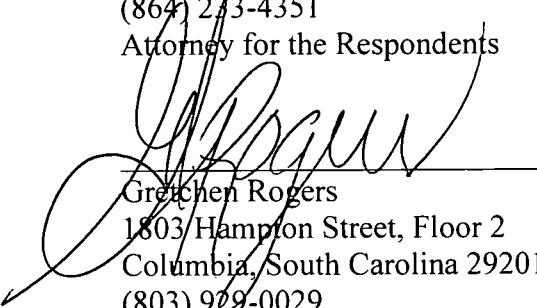
Respondents.

PROOF OF SERVICE

I certify that I have served the Motion for Extension and To File Brief Out of Time on the parties in the above referenced claim by depositing a copy of it in the United States Mail to their respective attorneys of record, postage prepaid, on June 19, 2013 addressed as follows:

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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June 19, 2013