

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY
Master-in-Equity

The Honorable Shannon M. Phillips, Master-in-Equity

RECEIVED

May 05 2023

Appellate Case No. 2022-001149

SC Court of Appeals

Derrick S. Hester, Debra Hester, James Nicholls, Emma Viola Nichols,
James E. Gregg, Jr., Paulette J. Gregg, Michael Ben Coley, Ashley Coley
Grady L. Barnes, Sr., Julia W. Barnes, Ewen Lennon, and Amy LennonRespondents.

v.

Mark Razzano and Carre RazzanoAppellants,

MOTION TO FILE AND SERVE FINAL BRIEF

The Appellants Mark Razzano and Carre Razzano (“Appellants”), by and through its undersigned counsel, hereby moves the Court of Appeals requesting permission to serve and file the Appellants’ Final Brief outside of deadlines set forth by Rule 211, *SCAR*. Pursuant to April 28, 2023 correspondence from the Court, the Appellants’ Final Brief is being filed and served contemporaneous herewith.

The late filing of the Final Brief was not intentionally done in contravention of the Court Rules. Rather, reason for the delay in filing the Final Briefs in this matter is a result of a disagreement between the parties regarding the contents of the Record on Appeal and finalization of the same for reference in the briefs. It was the undersigned counsel’s belief such dispute needed resolution prior to filing of final briefs. It is anticipated that pursuant to Rule 212(b) and (c), *SCAR*,

the parties disputes will be resolved by filing additional materials as therein provided.

The undersigned counsel begs the Court for leniency regarding the foregoing mistake in understanding and hereby requests the Court: (i) permit filing and service of the briefs beyond the deadline set forth by Rule 211, *SCAR*, and (ii) accept the same as if the same had been timely submitted.

Respectfully submitted this the 5th day of May, 2023,

KENISON, DUDLEY & CRAWFORD, LLC

s/Mark A. Bible, Jr.

Mark A. Bible, Jr. (SC Bar # 101624)

John T. Crawford, Jr. (SC Bar # 69682)

Kenison, Dudley & Crawford, LLC

704 East McBee Avenue

Greenville, SC 29601

(864) 242-4899

bible@conlaw.com

crawford@conlaw.com

Attorneys for Appellants,

Mark Razzano and Carre Razzano

Other Counsel of Record:

K. Jay Anthony (SC Bar # 77433)

Kenneth C. Anthony, Jr., (S.C. Bar No.: 0404)

650 E. Washington Street

Greenville, SC 29601

(864) 582-2355

janthony@anthonylaw.com

Attorneys for Respondents,

Derrick S. Hester, Debra Hester, James Nicholls,

Emma Viola Nichols, James E. Gregg, Jr., Paulette J. Gregg,

Michael Ben Coley, Ashley Coley, Grady L. Barnes, Sr.,

Julia W. Barnes, Ewen Lennon, and Amy Lennon

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PROOF OF SERVICE

The undersigned employee of the law offices of Kenison, Dudley & Crawford, LLC, attorneys for Appellants, hereby certifies that a true copy of the Motion to File and Serve Final Briefs in the above-referenced case has been served on all parties of record by e-mailing a copy of same this 5th day of May 2023 addressed as follows:

THE ANTHONY LAW FIRM, P.A.
K. Jay Anthony (SC Bar # 77433)
Kenneth C. Anthony, Jr., (S.C. Bar No.: 0404)
650 E. Washington Street
Greenville, SC 29601
janthony@anthonylawsc.com
kanthony@anthonylaw.com
jwolfla@anthonylawsc.com
Attorneys for Respondents


Jennifer E. Beckley
KENISON, DUDLEY & CRAWFORD, LLC