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Jun 19 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 19-CP-10-06387
Appellate Case No. 2022-001303

Fairfield 132 Smith Street, LLC,

Respondent,

v.

Haley Surface, Hannah Glickman, Jill Surface, and Diane Glickman,

Defendants,

Of whom Haley Surface, Jill Surface and Hannah Glickman are the

Appellants.

**MOTION FOR PERMISSION TO SERVE
AND FILE OUTSIDE OF TIME**

I, the undersigned counsel for the Appellants, Haley Surface, Jill Surface, and Hannah Glickman, pursuant to Rule 240, SCACR, hereby move for permission to serve and file Appellants' Initial Brief and Designation of Matter for Inclusion in the Record on Appeal outside of the filing deadlines set by Rule 208 and 209, SCACR. Appellants Haley Surface and Jill Surface were previously represented by attorney Sean Trundy before the trial court and before the Court of Appeals. Unfortunately, attorney Trundy passed away in January of 2023 during the initial briefing period and prior to receipt of the transcript. The undersigned has since been retained by Appellants Haley Surface and Jill Surface, and the undersigned is also the existing counsel of record for Appellant Hannah Glickman. Due to the untimely passing of attorney Trundy and the transition of his file and other case-necessary materials, together with the requirement to adjust and amend briefs and other research materials to account for the addition of Appellants to the undersigned's representation, the Appellants' Initial Brief and the Designation of Matter for Inclusion in the Record on Appeal has been delayed. Per the request of the Court, the undersigned is further and simultaneously submitting a Notice of Appearance on behalf of Appellants Jill Surface and Haley Surface to enable the Court to accept the Initial Brief and Designation of Matter.

Respectfully submitted,

/s/ Andrew T. Shepherd
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June 19, 2023