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Jul 14 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
In the Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge
Civil Action No.: 2021-CP-02-02457

Appellate Case No.: 2022-000685

Glen FlemingRespondent,

v.

Vance Mack Fleming ...Appellant.

**APPELLANTS’ MOTION TO FILE INITIAL REPLY BRIEF
OUT OF TIME AND FOR AN EXTENSION TO FILE
INITIAL REPLY BRIEF**

Appellant Vance Mack Fleming respectfully moves before this Court for an Order allowing Appellant to file his Initial Reply Brief out of time. Appellant would also move for a ten (10) day extension of time to file his Initial Reply Brief if the motion to file out of time is granted.

This motion is made upon the ground that an extension as requested would be in the best interest of justice and would not prejudice Respondents.

On April 3, 2023, Appellant filed a Motion to Strike, or in the Alternative, to Disregard Portions of Respondent’s Initial Brief and Hold Filing Deadlines in Abeyance. On May 24, 2023, The Court granted Appellant’s Motion and permitted Respondent thirty days to amend his Initial Brief. Respondent amended his Initial Brief, which was filed on June 20, 2023. Counsel received

Respondent's Amended Initial Brief subsequently via mail and inadvertently calendared the due date incorrectly. Appellant's counsel did not realize the mistake until receipt of correspondence from the Court.

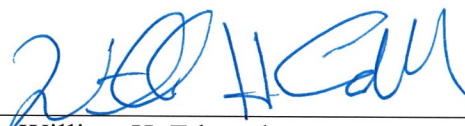
This motion is not made for the purpose of undue delay or any other improper purpose.

Counsel for Appellant is now finalizing an Initial Reply Brief and Record on Appeal and will file them with the Court next week.

WHEREFORE, the Appellant respectfully requests that he be granted leave to file his Initial Reply Brief out of time and for an additional ten (10) days to file his Initial Reply Brief in the event the Motion is granted.

Respectfully submitted,

By:



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Attorney for Appellant

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PROOF OF SERVICE

I certify that I have served a copy of the Appellants Motion to File Initial Reply Brief Out of Time and for an Extension to File Initial Reply Brief, upon the Respondent at the address listed below:

Glen T. Fleming
10943 Indies Drive North
Jacksonville, FL 32246



William H. Edwards

July 14, 2023



S. Jahue Moore*
 James Edward Bradley*
 Sheila McNair Robinson
 Christian G. Spradley
 William H. Edwards
 Stanley L. Myers
 Jane H. Downey*
 S. Jahue Moore, Jr.
 William B. Fortino
 Ralph Nichols Riley, Jr.
 John C. Bradley, Jr.
 Lester McGill Bell, Jr.

Melissa K. Moore
 Bryan C. Letteer
 Sierra D. Carini
 Lawrence D. Turner
 Emily E. Collins

Retired
 J. Mark Taylor**
 Robert D. Hazel†
 C. David Sawyer, Jr.†
 Billy C. Coleman (1916-2019)

July 14, 2023

VIA HAND DELIVERY & E-MAIL: ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
 Clerk of Court
 The South Carolina Court of Appeals
 Post Office Box 11629
 Columbia, South Carolina 29211

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SC Court of Appeals

Re: Glen Fleming v. Vance Mack Fleming
 Appellate Case No.: 2022-000685

Dear Mrs. Kitchings:

Enclosed for filing is the original and nine copies of a Appellant’s Motion File Initial Reply Brief Out of Time and for an Extension to File Initial Reply Brief and Proof of Service in the above-referenced matter. Also enclosed is our check in the amount of \$50.00 to cover the filing fee. Please return the clocked-in copies via our courier.

Please do not hesitate to contact our office if you have any questions or need additional information.

Yours very truly,

William H. Edwards

WHE
 Enclosures

cc: Glen Fleming, Respondent (w/enclosures)
 Vance M. Fleming (w/ enclosures)