

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

160073  
**RECEIVED**  
OCT 17 2023  
SC Court of Appeals

APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Appellate Case No. 2023-000654  
Trial Court Case No. 2020-CP-12-00207

Alexis Jones,.....Respondent-Appellant,

v.

Progressive Northern Insurance Company.....Appellant-Respondent.

**MOTION FOR LEAVE TO FILE INITIAL BRIEF OUT OF TIME**

Pursuant to Rule 240, SCACR, the Respondent-Appellant hereby petitions the South Carolina Court of Appeals for permission to file the Initial Appellant’s Brief of Respondent-Appellant, which were due August 14, 2023, out of time. Rule 263(b), SCACR.

The basis for this motion is that the undersigned’s law firm did not prepare the filings within the deadline established by the rules following receipt of the transcript due to an erroneous calendaring of this as a cross-appeal. In conjunction with counsel being out of the country for a two-week period, this oversight did not come to light until recently, and which has now been rectified. Accordingly, the undersigned prays for leave to accept the brief out of time in the interests of justice with counsel’s apologies.

The undersigned has communicated with counsel for Appellant-Respondent, who has indicated they will not object to this request for leave to file out of time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John S. Nichols", written over a horizontal line.

John S. Nichols, Esquire  
Bluestein Thompson Sullivan, LLC  
P.O. Box 7965  
Columbia, SC 29202  
(803) 779-7599  
[John@bluesteinattorneys.com](mailto:John@bluesteinattorneys.com)

October 17, 2023

Attorney for Respondent-Appellant

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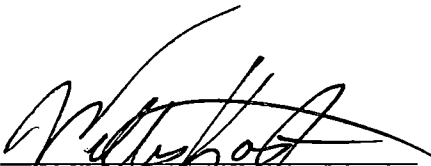
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the date indicated below he served counsel for the Appellant-Respondent with a *Motion for Leave to File Initial Brief out of Time* filed by Respondent-Appellant by electronic mail to the following addresses:

J.R. Murphy  
[jrmurphy@murphygrantland.com](mailto:jrmurphy@murphygrantland.com)  
Murphy and Grantland, P.A.  
Columbia, SC

Megan Walker  
[mwalker@murphygrantland.com](mailto:mwalker@murphygrantland.com)  
Murphy and Grantland, P.A.  
Columbia, SC

October 17, 2023



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William B. Koontz  
Law Clerk to John S. Nichols

## William Koontz

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**From:** William Koontz  
**Sent:** Tuesday, October 17, 2023 4:38 PM  
**To:** jrmurphy@murphygrantland.com; mwalker@murphygrantland.com  
**Cc:** John Nichols; Lindsey Price; cannon@shawcannon.com  
**Subject:** Alexis Jones v. Progressive Northern Insurance Company / Appellate Case No. 2023-000654  
**Attachments:** 2023.10.17.Letter to Ct App Mtn to File Out of Time.pdf

Good afternoon,

Please find enclosed and served upon you the Respondent-Appellant's *Motion for Leave to File Out of Time* as well as the conditionally filed *Initial Appellant Brief of Respondent-Appellant* in the above-referenced matter. Attached is a certificate of service documenting the same prior to submission to the Clerk for filing. If you have any questions or have any issues with the enclosed, please do not hesitate to contact me at your earliest convenience.

With warmest regards,  
William Koontz



**WILLIAM B. KOONTZ, J.D. LAW CLERK**

1614 TAYLOR STREET | PO BOX 7965  
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**VIA HAND DELIVERY**

The Honorable Jenny A. Kitchings  
Clerk of the Court of Appeals  
Court of Appeals of South Carolina  
P.O. Box 11629  
Columbia, SC 29211

RE: Alexis Jones v. Progressive Northern Insurance Company  
Appellate Case No.: 2023-000654

Dear Ms. Kitchings:

Please find enclosed for filing the Respondent-Appellant's *Motion for Leave to File Initial Brief Out of Time* in the above-referenced matter. I have also enclosed a certificate of service upon counsel for Appellant-Respondent, a \$50.00 check for the filing of this motion, and the conditionally offered *Initial Appellant's Brief of Respondent-Appellant*, for which leave to file is sought. Please let me know if you need anything further.

With kind regards,



John S. Nichols

Enclosures

cc: J. Logan Cannon, Esq.  
J.R. Murphy, Esq.  
Megan Walker, Esq.