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Nov 29 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Charles M. Watson Jr., Special Referee

Appellate Case No.: 2023-001143

Case No.: 2022-CP-36-00326

Lena Sue YarboroughAppellant,

v.

Joel F. Yarborough, III.....Respondent.

**MOTION FOR LEAVE TO FILE
FINAL REPLY BRIEF OUT OF TIME**

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned attorney for Appellant Lena Sue Yarborough respectfully requests leave to file Appellant’s Final Reply Brief out of the time allotted in Rule 211 of the South Carolina Appellate Court Rules.

The basis for this motion is that Appellant filed the Record on Appeal and served and filed her Final Brief on November 13, 2023, within twenty (20) days after the service of the Record on Appeal as provided in Rules 210 and 211 of the South Carolina Appellate Court Rules. In doing so, however, counsel for Appellant inadvertently omitted from service and filing Appellant’s Final Reply Brief. No prejudice to Respondent Joel F. Yarborough III will result from the Court permitting Appellant to file her Final Reply Brief out of time as Respondent has not yet filed his

Final Brief and Appellant's Final Reply Brief has not changed in substance from the Initial Reply Brief.

Therefore, Appellant requests the Court grant this Motion and permit Appellant to file her Final Reply Brief, which is attached to this Motion.

Respectfully submitted,

s/ Beth B. Richardson

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Columbia, South Carolina
November 29, 2023

THE STATE OF SOUTH CAROLINA
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APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Charles M. Watson, Jr., Special Referee

Appellate Case No.: 2023-001143

Lower Court Case No.: 2022-CP-36-00326

Lena Sue YarboroughAppellant,

v.

Joel F. Yarborough, III.....Respondent,

PROOF OF SERVICE

Pursuant to Rule 262(c)(3), SCACR, I certify that I have caused the **MOTION FOR LEAVE TO FILE FINAL REPLY BRIEF OUT OF TIME** to be served on the following counsel of record by AIS email at the following addresses:

Charles V. Verner, Esquire
PO BOX 484
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Counsel for Respondent

(Signature Page Follows)

s/Beth B. Richardson
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November 29, 2023

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Subject: Yarborough Appeal - Motion to File and Final Reply Brief of Appellant
Date: Wednesday, November 29, 2023 2:06:10 PM
Attachments: [image001.png](#)
[2023-11-29 - Motion for Leave to File Final Reply Brief Out of Time.pdf](#)
[2023-11-29 - FINAL Reply Brief of Appellant.pdf](#)

Good afternoon, Mr. Verner.

The attached is being served on you as attorney for Joel Yarborough. The attached Motion to File and Final Reply Brief of Appellant are being filed with the SC Court of Appeals this afternoon. A copy of this email will be filed with the Proof of Delivery for each.

Please let us know if you have any questions or concerns.

With kindest regards,
Cyndi Nygord



CYNDI NYGORD PARALEGAL

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