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**Dec 08 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

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Appellate Case No. 2023-001143

Case No. 2022-CP-36-00326

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Lena Sue Yarborough, ..... Appellant,

v.

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

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MOTION FOR LEAVE TO FILE  
RESPONDENT'S FINAL BRIEF OUT OF TIME

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Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned attorney for Respondent Joel F. Yarborough, III, respectfully requests leave to file Respondent's Final Brief out of the time allotted in Rule 211 of the South Carolina Appellate Court Rules.

Respondent's Final Brief was due on Monday, December 4, 2023. On Friday night/Saturday morning, December 2, 2023, attorney for Respondent suffered a medical emergency caused by blood clots in multiple areas of his left leg. After visiting urgent care on Monday morning and then an ultrasound procedure, Attorney was hospitalized on Monday, December 4 through December 6, 2023, to remove the blood clots in his left leg. The surgery on December 5 was unfortunately unsuccessful due to collapsed veins in the leg and Attorney

remains bed-ridden with limited mobility although discharged. New surgery is being planned to repair the vein at Charleston MUSC.

The medical symptoms are extreme swelling in the left leg, intense pain when walking and constant pain in the pelvic area (above the collapsed vein).

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December 8, 2023

Respectfully submitted by,

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December 8, 2023

Newberry, South Carolina