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Jan 12 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE S.C. COURT OF COMMON PLEAS

Case No: 2023-001663

South Carolina Workers' Compensation Commission, Respondent,

v.

WestPoint Home, LLC, Appellant.

FIRST MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S BRIEF

Pursuant to Rules 208 and 240, SCACR, the South Carolina Workers' Compensation Commission ("the Commission") moves this Court for a thirty (30) day extension to file and serve the Initial Brief of Respondents, based on the following grounds:

1. The Initial Brief of Appellants was filed and served on January 3rd, 2024, making the Initial Brief of Respondents due on or before February 2nd, 2024.
2. The Commission is seeking outside representation to handle the appellate portion of this matter.
3. The Commission has communicated with opposing counsel, and they do not have any objections to the granting of an extension.

Therefore, the Commission moves for an extension of thirty (30) days to file the Initial Brief of Respondents.

Respectfully submitted,

THE SOUTH CAROLINA WORKERS' COMPENSATION
COMMISSION



J. Keith Roberts
SC Bar No. 100735
1333 Main Street, Suite 500,
P.O. Box 1715
Columbia, South Carolina 29202-1715
(803) 737-5701

Jan. 12, 2024

DATE

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SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION, RESPONDENT,

V.

WESTPOINT HOME, LLC, APPELLANT.

PROOF OF SERVICE

I, the undersigned counsel for the Workers' Compensation Commission, hereby certify that I have served a copy of the MOTION FOR EXTENSION OF TIME (1ST) TO FILE RESPONDENT'S BRIEF by transmitting an electronic copy to the parties below:

Todd Carroll, Esquire and Herbert Beigel, Esquire at todd.carroll@wbd-us.com

January 12th, 2024



J. Keith Roberts

1333 Main Street, Suite 500,
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*Attorney for the South Carolina
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Workers' Compensation Commission

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SC Court of Appeals

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VIA ELECTRONIC SERVICE
Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

Re: S.C. Workers' Compensation Commission v. WestPoint Home, LLC
Appellate Case No. 2023-001663

Dear Ms. Kitchings:

Enclosed please find the South Carolina Workers' Compensation Commission's First Motion for Extension of Time to File Respondent's Brief. It is my understanding that the Commission is exempt from the filing fee under Rule 240(d), SACAR, however, if a filing fee is necessary, please contact us and it will be immediately remitted.

By copy of this letter to Counsel for WestPoint Home, LLC, we are serving them with copies of this motion. Please see the attached Certificate of Service.

If there is anything further the court requires from the Commission at this time, please do not hesitate to ask.

With warmest regards,

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Keith Roberts".

J. Keith Roberts, Esquire
S.C. Workers' Compensation Commission

Enclosure

Cc: Todd Carroll, Esquire (via email)
Mr. Herbert Beigel (via email)