

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas
J. Cordell Maddox, Jr., Circuit Court Judge

Civil Action No. 2020-CP-04-02533

Appellate Case No. 2023-000549

Donegal Insurance,

Appellant,

v.

Charles H. Wade,

Respondent.

APPELLANT'S MOTION FOR PERMISSION TO LATE FILE FINAL REPLY BRIEF

Appellant respectfully requests leave of this Court to file its Final Reply Brief late, pursuant to Rule 240 of the *South Carolina Appellate Court Rules*. The Respondent's Final Brief was filed December 11, 2023. Respondent requests this leave from the Court due to a filing error, where the absence of the Appellant's Final Reply Brief from filing with the Respondent's Final Brief was not brought to the Appellant's attention until January 11, 2024. At such time, Appellant promptly attempted to file Appellant's Final Reply Brief within the parameters set forth by the Court in its notice to Appellant. This is Appellant's first request for leave to late file with this Court. Furthermore, the Court's leave will not prejudice the Respondent or affect its legal rights, as the substantive content of Appellant's Final Reply Brief is unaltered from Appellant's Initial Reply

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Brief, pursuant to Rule 210 of the *South Carolina Appellate Court Rules*. Respondent has made a Rule 11 Request to all attorneys of record requesting consent, to which all attorneys of record consented without objection.

Respectfully submitted,

BREHMER LAW FIRM, LLC

By: *s/Andrew C. Brehmer*
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Columbia, South Carolina
January 18, 2024

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PROOF OF SERVICE

I certify that a true copy of Appellant's Motion for Permission to Late File Appellant's Final Reply Brief in this case has been served on Thomas Erskine Hite, III, Esq. and Scarlet B. Moore, Esq., counsel for Respondent, this 18th day of January 2024, by emailing a copy of such to his primary email address (t3@hiteandstone.com) and her primary email address (scarlet28@msn.com), listed in the Attorney Information System pursuant to Rule 262 of the South Carolina Appellate Court Rules and the May 6, 2022, Order of the South Carolina Supreme Court (Appellate Case No. 2020-000447).

[SIGNATURE PAGE TO FOLLOW]

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Respectfully submitted,

BREHMER LAW FIRM, LLC

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