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Mar 04 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

THE HONORABLE KRISTI F. CURTIS, CIRCUIT COURT JUDGE

Case No. 2021-CP-26-07973

Vishu Bhambhani, Appellant,

Vs.

Chris Thompson, CBO of the City of Myrtle Beach, Respondent

SECOND MOTION TO SERVE AND FILE RECORD OUT OF TIME

On February 23, 2024, Appellant received a notification from this Court that he must refile the Record on Appeal and Final Brief. However, Appellant already (1) served the Record and Final Brief on July 27, 2024 as demonstrated by the Proof of Service on file with this Court (**Exhibit 1**); and (2) filed the Record on Appeal and Final Brief as demonstrated by the previous Motion to File Out of time on file with this Court (**Exhibit 2**). In addition, Counsel for Appellant called this Court to confirm that the hard copies of the Record on Appeal and Final Brief were received in September of 2023. Finally, Appellant provides the proof that the Final Brief and Record were delivered to this Court on July 27, 2023. (**Exhibit 3**)

Appellant requests that this Court review its records to determine what happened to the hard copies delivered to this Court in July 2023. Electronic copies of the Final Brief and Record on Appeal are being filed electronically with this motion. If new hard copies are needed,

Appellant can provide them before March 8, 2024. However, the last time hard copies were provided, it cost Appellant in excess of \$100.00 for the copies. If the hard copies can be found, Appellant prays this motion is unnecessary and can avoid paying another fee for copies.

RESPECTFULLY SUBMITTED

/s/Tucker S. Player, Esq.

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Federal Bar No. 7512

Tucker@playerlawfirm.com

512 Village Church Drive

Chapin, South Carolina 29036

803-315-6300 (P)

Attorney for Appellant

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THE HONORABLE KRISTI F. CURTIS, CIRCUIT COURT JUDGE

Case No. 2021-CP-26-07973

Vishu Bhambani,

Appellant,

v.

Chris Thompson, CBO of the City
of Myrtle Beach,

Respondent.

I hereby swear that on **July 27, 2023 I served a copy of the Record on Appeal** on opposing Counsel by electronically mailing the same, email as listed with the South Carolina Bar:

Michael Battle
mbattle@battlelawsc.com
Battle Law Firm
1200 Main Street
Conway, South Carolina 29528

September 29, 2023

/s/Tucker S. Player
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Appellant,

Vs.

Chris Thompson, CBO of the City of Myrtle Beach,

Respondent

MOTION TO SERVE AND FILE RECORD OUT OF TIME

Appellant moves this Court to allow him to file and serve the Record on Appeal out of time. The Record on Appeal was completed and served on opposing counsel on July 27, 2023. Appellant subsequently filed the requisite number of paper copies with this Court. However, this was 2 days past the deadline and Appellant now seeks to receive permission for that late filing. The required filing fee will be mailed to the Court today.

RESPECTFULLY SUBMITTED

/s/Tucker S. Player, Esq.

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Chapin, South Carolina 29036

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Attorney for Appellant

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Case No. 2021-CP-26-07973

Vishu Bhambani,

Appellant,

v.

Chris Thompson, CBO of the City
of Myrtle Beach,

Respondent.


I hereby swear that on September 29, 2023 I served a copy of Appellant's Motion to Serve and File the Record on Appeal Out of Time on opposing Counsel by electronically mailing the same, email as listed with the South Carolina Bar:

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mbattle@battlelawsc.com
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1200 Main Street
Conway, South Carolina 29528

September 29, 2023

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The South Carolina Court of Appeals

Vishu Bhambhani, Appellant,

v.

Christopher Thompson, CBO of the City of Myrtle
Beach, Respondent.

Appellate Case No. 2022-001107

The Honorable Kristi F. Curtis
Horry County
Trial Court Case No. 2021CP2607973

ORDER

The appellant has filed a motion to allow late service of the record on appeal. The motion is Granted. The Court is in receipt of the proof of service for **the record on appeal and it has been filed.** The time for filing the record on appeal and serving and filing all final briefs will expire twenty (20) days from the date of this order.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

cc:

Tucker S. Player, Esquire

Michael Warner Battle, Esquire

FILED
Nov 09 2023