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Mar 25 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

William A. McKinnon, Circuit Court Judge

Appellate Case No. 23-000859

Nathaniel Shell,

Respondent,

v.

Law Office of Neil T. Phillips, LLC
and Neil T. Phillips,

Appellants.

**MOTION TO FILE AND SERVE FINAL BRIEF OF
RESPONDENT OUTSIDE OF RULE 211, SCACR TIME
LIMITS**

Respondent Nathaniel Shell moves pursuant to Rule 240, SCACR for an order allowing him to file and serve the Final Brief of Respondent outside of the time limits set by Rule 211, SCACR. Counsel for respondent inadvertently calendared the due date for the month of April instead of the month of March. This motion is not interposed for delay. Respondents also request that the Court of Appeals hold all time limits in abeyance pending its ruling on this motion.

Respectfully submitted,

March 25, 2024



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SC Bar No. 13906

Attorney for Respondent

Other Counsel of Record:

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Attorney for Appellants

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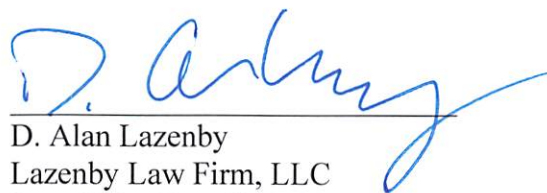
Appellants.

PROOF OF SERVICE

I certify that I have served the Motion to file and serve Final Brief of Respondents outside of Rule 211, SCACR time limits on Appellants Law Office of Neil T. Phillips, LLC and Neil T. Phillips by electronic mail to their counsel of record, Douglas W. MacKelcan, Esq. his email address on file with the S.C. AIS, to wit: dmackelcan@csvg.law

Respectfully submitted,

March 25, 2024



D. Alan Lazenby
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Post Office Box 6099
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Attorney for Respondent



Alan Lazenby <alan@lazenbylawfirm.com>

Shell v Law Office of Neil T. Phillips, Appellate Case No. 2023-000859

1 message

Alan Lazenby <alan@lazenbylawfirm.com>

Mon, Mar 25, 2024 at 2:55 PM

To: "Mackelcan, Douglas W." <dmackelcan@csvg.law>, "Cary, Taylor L." <tcary@csvg.law>, "Rebekah S. Noell-Baba" <rebekah@lazenbylawfirm.com>

Dear Counsel,

Attached and herewith served upon you in this matter is the Final Brief of Respondent, Certificate of Counsel pursuant to Rule 211, SCACR; Proof of Service, Motion to file and serve Final Brief of Respondent outside of Rule 211, SCACR time limits, and Proof of Service regarding Motion. I also attach a copy of my correspondence to the Court of Appeals. The copy of the Proof of Service to the Court will contain a print out indicating this message was sent to you.

Alan

D. Alan Lazenby Attorney at Law, Lazenby Law Firm, LLC**LAZENBY**
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6 attachments

-  **Clerk from DAL re FBR and Mot to File 03.25.2024.pdf**
223K
-  **FBR 2024.03.25.pdf**
46K
-  **211 COC 03.25.2024.pdf**
145K
-  **COS FBR 03.25.2024.pdf**
161K
-  **Mot File 03.25.2024.pdf**
137K
-  **COS Mot 03.25.2024.pdf**
168K



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March 25, 2024

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SC Court of Appeals

VIA EMAIL AND US MAIL

Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Nathaniel Shell, Appellant-Respondent, v. Law Office of Neil T. Phillips, LLC; and Neil T. Phillips, Respondents-Appellants.
Appellate Case No. 2023-000859

Dear Ms. Kitchings:

Enclosed please find the following documents in the referenced case:

- 1) Final Brief of Respondent;
- 2) Certificate pursuant to Rule 211, SCACR;
- 3) Proof of Service regarding Brief;
- 4) Motion requesting permission to serve and file the final brief outside of the filing deadlines set by Rule 211, SCACR; and
- 5) Proof of Service regarding Motion.

The hard copy is being sent herewith in accordance with Rule 267, SCACR. I also enclose a check in the amount of \$50 to cover the filing fee.

Very truly yours,


D. Alan Lazenby
alan@lazenbylawfirm.com

DAL:
Enclosures

cc: Douglas W. MacKelcan, Esq. (via email only)
Taylor L. Cary, Esq. (via email only)