

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

**May 17 2024**

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

**SC Court of Appeals**

The Honorable William H. Seals, Jr., Circuit Judge Case No.

2020-CP-2605790

Appellate Case No. 2023-01499

Major Jason J. MacDonald,

Appellant,

-vs-

Horry County School District

Respondent.

**RESPONDENT'S MOTION TO FILE REVISED  
INITIAL BRIEF AND TO EXTEND TIME TO FILE  
FINAL BRIEFS AND RECORD ON APPEAL**

Respondent moves for leave of court to file a revised Initial Brief to omit reference to testimony from two witnesses which was not in the record before the lower court, but which was inadvertently included in respondent's initial brief. The testimony to be omitted is that of Neal Vincent on page 17 and Rick Maxey on page 19 of respondent's initial brief. It was included in respondent's initial brief by mistake, was a good faith error, and was not an attempt to circumvent the appellant court rules. A copy of the proposed revised respondent's Initial Brief is attached, and undersigned counsel proposes to substitute it in place of its previous Initial Brief filed March 25, 2024.

Respondent also moves for a 10-day extension of time until June 6, 2024, for filing of all parties' Final Briefs and the Record on Appeal in order to allow time for this court to consider and rule upon this motion so that undersigned counsel will have guidance on how to proceed in light of this briefing error.

Counsel for appellant consents to this motion.

AIKEN, BRIDGES, ELLIOTT, TYLER & SALEEBY, P.A.

*s/Samuel F. Arthur, III*

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*Attorney for the Respondents*

May 17, 2024  
Florence, South Carolina

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**PROOF OF SERVICE**

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I certify that the foregoing **RESPONDENT'S MOTION TO FILE REVISED INITIAL BRIEF AND TO EXTEND TIME TO FILE FINAL BRIEFS AND RECORD ON APPEAL** was served on the following counsel of record for Appellant on May 17, 2024 via electronic mail under Paragraph (d)(1) of Order re: Methods of Electronic Filing and serve under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), Appellate Case No. 2020-000447.

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*s/ Joseph P. McLean*

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