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Oct 14 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
B. Alex Hyman, Circuit Court Judge

Appellate Case No. 2023-001454
Case No. 2020-CP-22-0356

Ron Christmas,..... Appellant,

v.

County of Georgetown; City of Georgetown; and
South Carolina Department of Transportation,..... Respondents.

**MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF OF
RESPONDENT CITY OF GEORGETOWN**

The Respondent City of Georgetown respectfully moves this Court for an additional two-day extension of time until October 16, 2024, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Respondent City of Georgetown's motion is based on the following grounds:

1. The Respondent City of Georgetown's Initial Brief and Designation of Matter to be Included in the Record on Appeal are currently due to be filed and served on or before October 14, 2024, due to exceptional and unanticipated circumstances.

2. The undersigned counsel requires an additional two days to complete the City of Georgetown's Initial Brief because of delays resulting from a extended motion hearing that has lasted over four hours on October 14, 2024. The undersigned counsel fully expected to complete the brief by today's deadline, but the motion hearing and another brief due in the Supreme Court has made it unlikely that the brief will be completed and filed by midnight. The undersigned counsel also has an oral argument in the Court of Appeals on October 15, 2024. Additionally, the undersigned is still behind due to issues his office experienced with Hurricane Helene. Specifically, his office was without power for five days, and without internet for nine days, which has put him behind, as well as he has had personal issues with two trees falling on his house as a result of the hurricane.

3. The undersigned has consulted with Justin Lucey, counsel for the Appellant, and he consented to the requested extension by email (attached).

WHEREFORE, the Respondent City of Georgetown respectfully requests that it be allowed until October 16, 2024, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN LAW FIRM, P.A.

BY: s/ Andrew F. Lindemann
ANDREW F. LINDEMANN #13030
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
(803) 881-8920

Counsel for Respondent City of Georgetown

October 14, 2024

From: [Andrew Lindemann](mailto:Andrew.Lindemann@ldlawsc.com)
To: [Jennifer Baker](mailto:Jennifer.Baker@ldlawsc.com)
Subject: FW: Christmas
Date: Monday, October 14, 2024 3:31:54 PM

From: Justin Lucey <jlucey@lucey-law.com>
Sent: Monday, October 14, 2024 1:02 PM
To: Andrew Lindemann <Andrew@ldlawsc.com>; Joshua Evans <jevans@lucey-law.com>
Cc: Mike Battle <mbattle@battlelawsc.com>; Kirk Battle <kbattle@battlelawsc.com>; Lisa Thomas <lthomas@richardsonplowden.com>; Lee Weiland <lweiland@lucey-law.com>; Jennifer Baker <Jennifer@ldlawsc.com>
Subject: RE: Christmas

Certainly. Take 5-10 if you need it.

Justin

Justin O'Toole Lucey, P.A.

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Mount Pleasant, SC 29464

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From: Andrew Lindemann <Andrew@ldlawsc.com>
Sent: Monday, October 14, 2024 12:33 PM
To: Joshua Evans <jevans@lucey-law.com>; Justin Lucey <jlucey@lucey-law.com>
Cc: Mike Battle <mbattle@battlelawsc.com>; Kirk Battle <kbattle@battlelawsc.com>; Lisa Thomas <lthomas@richardsonplowden.com>; Lee Weiland <lweiland@lucey-law.com>; Jennifer Baker <Jennifer@ldlawsc.com>
Subject: Christmas

Josh and Justin:

Will you consent to an additional two-day extension for the City? I have been behind due to issues from Hurricane Helene. I had planned to get my brief finished today, but I am now looking like that is not likely since I am still in a motion hearing that began at 9:30 this morning. The hearing is still proceeding after 3 hours. I also have an oral argument in the morning and a brief due in the Supreme Court today as well.

I would appreciate the courtesy.

Thanks.

Andrew

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APPEAL FROM GEORGETOWN COUNTY
B. Alex Hyman, Circuit Court Judge

Appellate Case No. 2023-001454
Case No. 2020-CP-22-0356

Ron Christmas,..... Appellant,

v.

County of Georgetown; City of Georgetown; and South
Carolina Department of Transportation,..... Respondents.

CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), the undersigned employee of Lindemann Law Firm, P.A., counsel for the Respondent City of Georgetown, does hereby certify that service of the **Motion for Extension of Time to File Initial Brief of Respondent City of Georgetown** was made upon all counsel of record by email only this the 14th day of October 2024, as follows:

Justin O. Lucey, Esquire
Joshua F. Evans, Esquire
Justin O’Toole Lucey, P.A.
Email: jlucey@lucey-law.com
Email: jevans@lucey-law.com

M. Kirk Battle, Esquire
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Email: kbattle@battlelawsc.com
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s/ Andrew F. Lindemann



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*Also Admitted in North Carolina

October 14, 2024

RECEIVED
Oct 14 2024
SC Court of Appeals

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

RE: Ron Christmas v. County of Georgetown; City of Georgetown; and South Carolina
Department of Transportation
Appellate Case Number: 2023-001454
Civil Action Number: 2020-CP-22-0356
Claim Number: SF-20-0365-0001
Our File Number: 321.20310

Dear Ms. Kitchings:

Pursuant to Section (b)(2) the Supreme Court's Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (as amended April 26, 2024), please find enclosed for filing the **Motion for Extension of Time to File Initial Brief of Respondent City of Georgetown** with regard to the above referenced appeal. My firm's \$50.00 check for the filing fee will be placed in today's U.S. Mail.

By copy of this letter, I am serving copies on all counsel of record by email only pursuant to Section (d)(1) of the same Supreme Court Order. Thank you for your assistance.

Sincerely,

LINDEMANN LAW FIRM, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosure

cc: Justin O. Lucey, Esquire (*Via Email Only, with Enclosure*)
Joshua F. Evans, Esquire (*Via Email Only, with Enclosure*)
M. Kirk Battle, Esquire (*Via Email Only, with Enclosure*)
Michael W. Battle, Esquire (*Via Email Only, with Enclosure*)
Carmen Vaughn Ganjehsani, Esquire (*Via Email Only, with Enclosure*)
Lisa A. Thomas, Esquire (*Via Email Only, with Enclosure*)