

THE STATE OF SOUTH CAROLINA
In The Supreme Court
APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Patrick C. Fant III, Circuit Court Judge

Appellate Case No.: 2024-001138

RECEIVED
SEP 22 2025
SC Court of Appeals
105939

The Altamont Road Safety Alliance, Sussane Beattie, Brenda Cale, Elaine Carter, Ron & Ava Chitty, Aaron & Heather Collins, Margaret & Robert Degiorgio, Elliot & Jennifer Earle, Laura Edge, Travis Elmore, Marilyn Endler, John Fields, Jim Hambright, Leah Hunter, Lauren Johnson, Cynthia Kinghorn, Alex Kiriakides, Jason Kraning, Elaine & Bill Landreth, Robert & Patricia Lanning, Frank & Barbara League, Louis & Ann Leblanc, Frank Lewkowicz, Forrest & Jane Long, George & Fain Mcdaniel, Brian Mcsharry, Ronald & Kathy Mercer, Steven & Anna Mickle, Helen & Fred Moorhead, John Parker, Audrey Pasin, Jim Sheets, Matthew Phillips, Shannon Pierce, Michael Rawls, Ronald & Tommie Reece, Daniel & Kimberly Rudzinski, Jason Seefafer, David Taylor, Ronald Trammel, Greg Valente, and Emily & Caleb Vanwingerden.

Appellants

v.

Greenville County Board of Zoning Appeals

Respondent

**MOTION TO FILE AND SERVE FINAL BRIEF OF APPELLANT AND FINAL REPLY
BRIEF LATE**

Appellants, by and through undersigned counsel, respectfully move this Court pursuant to Rule 263, SCACR, for an order permitting the filing and service of the Final Brief of Appellant and Final Reply Brief outside the time deadlines prescribed by Rule 211, SCACR.

On June 17, 2025, the Court issued correspondence directing counsel regarding filing of the record on appeal and final briefs, including the requirement of bound copies in compliance with Rule 267, SCACR. Undersigned counsel, in good faith, misread the Court's June 17, 2025 letter as confirmation that briefing was complete, and accordingly proceeded to prepare and file

bound copies of the record on appeal. Counsel inadvertently failed to timely prepare and serve the Final Brief of Appellant and Final Reply Brief within the Rule 211 deadlines.

On September 8, 2025, the Court issued a letter noting that the time for filing the Final Brief of Appellant and Final Reply Brief had expired and directing Appellants to file the briefs with a motion requesting permission to file outside the Rule 211 deadlines within ten (10) days. This oversight was inadvertent and not intended to delay proceedings. Appellants now submit herewith their Final Brief of Appellant and Final Reply Brief in compliance with the Court's directive. No prejudice will result to Respondent if this motion is granted. Granting leave will ensure the Court has the benefit of full briefing on the issues presented in this appeal.

WHEREFORE, Appellants respectfully request that this Court grant leave to file and serve the Final Brief of Appellant and Final Reply Brief out of time, and accept the briefs submitted contemporaneously herewith for consideration in this appeal.

Respectfully submitted,

s/Robert C. Childs III
Robert C. Childs, III, #1218
Childs Law Firm LLC
20 Center Street
P.O. Box 1519
Travelers Rest Sc 29690
(864) 242-9997
Fax (864) 242-9914
Robert@LawyerChilds.com
Attorney for Appellants

09/18/2025

Other Counsel of Record:
Andrew F. Lindemann
Lindemann Law Firm, P.A.
5 Calendar Court, Suite 202 (29206)
Columbia, South Carolina 29260
Attorney for Respondent

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Appellants

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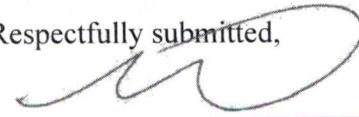
Greenville County Board of Zoning Appeals

Respondent

PROOF OF SERVICE

I certify that on September 17, 2025, I served the Appellant's Motion to File and Serve Final Brief of Appellant and Final Reply Brief Late by emailing copy of the same by electronic mail addressed to counsel for the Respondent, and others as indicated below:

Respectfully submitted,


Robert C. Childs, III, #1218
Childs Law Firm LLC
20 Center Street
P.O. Box 1519
Travelers Rest Sc 29690

(864) 242-9997
Fax (864) 242-9914
Robert@LawyerChilds.com
Attorney for Appellants

Other Counsel of Record:
Andrew F. Lindemann
Lindemann Law Firm, P.A.
5 Calendar Court, Suite 202 (29206)
Columbia, South Carolina 29260
Attorney for Respondent
Email: Andrew@ldlawsc.com

Childs Law Firm
PO Box 1519
Travelers Rest SC 29690-1205

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Honorable Jenny Abbott Kitchings
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