

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY  
Court of Common Pleas  
Lee S. Alford, Circuit Court Judge

RECEIVED  
DEC 09 2013  
SC Court of Appeals

Case No. 2012-213281

City of Fort Mill,

Appellant,

v.

Colin Duane Fitzgerald,

Respondent.


RESPONDENT'S MOTION FOR EXTENDED TIME IN WHICH TO FILE BRIEF AND  
MOTION REQUESTING APPELLANT RESERVE BRIEF ON RESPONDENT

Respondent, through undersigned counsel, would respectfully move this Court to grant additional time for Respondent to file his initial brief and that the Appellant be asked to serve its initial brief upon Respondent.

By letter dated October 19, 2013, the Clerk of Court gave notice to Appellant that Appellant's initial brief was due no later than November 22, 2013. Appellant filed its initial brief on November 22, 2013. In addition to the brief, Appellant also filed a proof of service that its brief had been served on Respondent. As of the date of this Motion, December 4, 2013, Respondent as yet to receive a copy of Appellant's initial brief.

Respondent asks this Court to grant Respondent an extension in which to file he's initial brief. Respondent also ask that the Appellant serve or serve again, its initial brief upon the Respondent so that he may respond.

December 4, 2013



J. Tyler Burns  
SC Bar # 77512  
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PROOF OF SERVICE

I, Chris Grundner, certify that I have served Respondent's Motion for Extended Time in which to file brief on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to :

Mr. William Blich  
Office of the Attorney General  
PO Box 11549  
Columbia, SC, 29211

December 4, 2013

  
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+Licensed in SC ♦Licensed in NC

PLEASE REPLY TO: Fort Mill

December 4, 2013

Via Certified Mail.

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

Re: **City of Fort Mill v. Colin Fitzgerald**  
**Appellate Case Tracking No. 2012-213281**

Dear Ms. Kitchings,

Please find enclosed the original of Respondent's Motion for Extended Time in which to file as well as six copies and proof of service on the Appellant.

Sincerely,

J. Tyler Burns

JTB/tms

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