

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

James E. Reeves, Special Referee

Appellant Case No. 2013-000965

7115²

RECEIVED

JAN 31 2014

SC Court of Appeals

SCBT, NC.....Respondents

v.

Shelton Hoffman a/k/a Shelton L. Hoffman; South Carolina Department of
Revenue; Baird Transport, Inc.....Defendants

Of whom Shelton Hoffman a/k/a Shelton L. Hoffman is the.....Appellant

**MOTION TO ALLOW RECORD ON APPEAL
TO BE FILED OUT OF TIME**

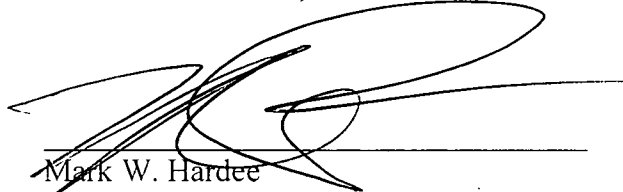
The Appellant hereby moves for an Order of this Court allowing Record on Appeal to be filed out of time pursuant to Rule 260 SCACR. Grounds for this Motion are as follows:

The Reply Brief was filed December 12, 2013 making the Record on Appeal due January 12, 2014. Counsel for the Appellant is working on an Appeal with almost identical dates and counsel for the Appellant inadvertently thought a Motion to Extend Time had been filed making it due on February 10, 2014. Counsel for the Appellant

thought he was requesting a second extension due to copying difficulties, and at that time discovered that the first extension had never been filed. The Appellant will be able to file the Record on Appeal within 60 days of its due date, and therefore it would be just and fair to allow the Appellant to file the Record out of time.

The Appellant would pray for an Order of this Court allowing the Record on Appeal to be filed out of time.

MARK W. HARDEE, ATTORNEY AT LAW

A large, stylized handwritten signature in black ink, appearing to read 'M. Hardee', is written over a horizontal line.

Mark W. Hardee
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Columbia, South Carolina
January 31, 2014

STATE OF SOUTH CAROLINA)

IN THE COURT OF APPEALS

COUNTY OF ORANGEBURG)

Case No. 2013-000965

Shelton Hoffman)

a/k/a Shelton L. Hoffman)

Appellant,)

vs.)


SCBT, NC)

Respondent.)

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of January, 2014, I served, via first class mail, at the address below, a copy of the Appellant's Motion to Allow Record on Appeal to be Filed Out of Time pertaining to the above-referenced action.

Harriet Pollitt Wallace, Esq.
James K. Cluverius, Jr.
Roger Townsend & Thomas, PC
401 N. Main St Suite 100
Greenville, SC 29601
Attorney for the Respondent



Vicky McCarter
Legal Assistant

Columbia, South Carolina

Date: 1-31-14