

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Hon. S. Phillip Lenski, Administrative Law Judge

11490

Appellate No. 2013-002614

South Carolina Department of Motor  
Vehicles,.....Respondent,  
v.  
Christopher Platt,.....Appellant.

MOTION TO FILE BRIEF OUT OF TIME

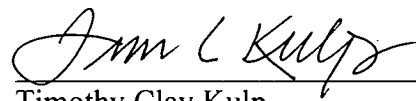
Christopher Platt, by and through his counsel, moves this Court to allow the Appellant to file his brief out of time. Pursuant to Rule 207(b)(1), Counsel for the Appellant is attempting to secure the entire record on appeal, including all transcripts necessary for this appeal. Counsel has requested the entire file from the Administrative Law Court on two separate occasions but has yet to receive anything. Furthermore, Counsel for the Appellant was not involved at the initial hearing and therefore does not have complete record or transcripts necessary to perfect this appeal.

Counsel for the Appellant interpreted Rule 208(a)(1) to require the Brief of Appellant filed thirty (30) days *after* receiving the transcript. In this particular instance the Counsel called the Clerk on January 2, 2014 for guidance on this issue and also spoke to opposing counsel. These conversations led the Appellant to file an agreement of both parties outlining the record on appeal, including underlying transcripts from the initial hearing. Counsel for the Appellant has made good faith efforts to comply with Rule 207 and 208 and file timely notices with the Court for extensions.

The Appellant moves this Court to allow the Appellant to file his brief out of time for the reasons above and the good faith effort by the Appellant to comply with Rule 207, 208, 209 and 210.

March 6, 2014

**Counsel for Respondent:**  
Linda Annette Grice, Esq.  
Post Office Box 1498  
Blythewood, South Carolina 29016

  
Timothy Clay Kulp  
116 Church Street, 3<sup>rd</sup> Floor  
Charleston, South Carolina 29401  
843-853-3310

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**SC Court of Appeals**

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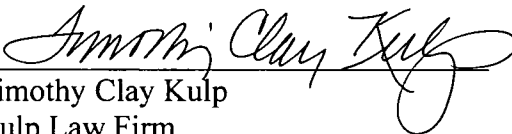
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PROOF OF SERVICE

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I certify that I have copied the motion to file brief out of time on the South Carolina Department of Motor Vehicles, by depositing a copy of it in the United States Mail, postage prepaid, March 6, 2014 addressed to Linda Grice, Esquire, Assistant General Counsel, Post Office Box 1298, Blythewood, South Carolina 29016.

March 6, 2014

  
Timothy Clay Kulp  
Kulp Law Firm  
116 Church Street, 3<sup>rd</sup> Floor  
Charleston, South Carolina 29401  
(843) 853-3310  
Attorney for Appellant

**RECEIVED**

MAR 07 2014

**SC Court of Appeals**

From: (843) 853-3310  
Tim Kulp  
Kulp Law Firm  
116 Church St.  
3rd Floor  
Charleston, SC 29401

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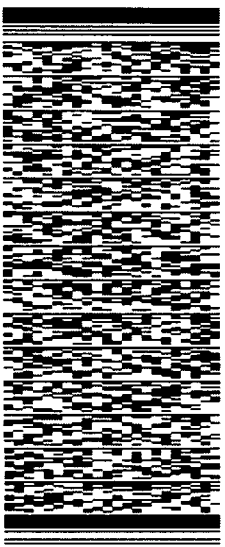


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BILL SENDER

Hon. Jenny Abbott Kitchings  
SC Court of Appeals, Clerk of Court  
1015 Sumter Street  
Columbia, SC 29201



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SC Court of Appeals

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