

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

On Writ of Certiorari to the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Carolyn C. Matthews, Administrative Law Judge

**RECEIVED**

MAR 19 2014

Appellate Case No. 2011-194026

**S.C. Supreme Court**

South Carolina Department of Motor Vehicles . . . . . Respondent,

v.

Phillip Samuel Brown. . . . . Petitioner

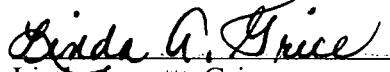
**Petition to File Motion for Costs Out Of Time**

Pursuant to Rule 240, SCACR, the SCDMV requests permission to file the Motion for Costs out of time. The motion for costs was due 15 days after February 6, 2014, the date the Court issued the Remittitur. The Office of General Counsel for the SCDMV lost all long-time support staff to resignation and retirement and the motion was inadvertently not placed in the litigation tickler system upon receipt of the remittitur. This oversight was discovered and a motion for costs was prepared on March 7, 2014 after 5 PM and mailed on March 10, 2017.

For the reason stated above, the SCDMV requests that this Court allow the necessary extension to file the Motion for Costs out of time.

*10/2/14  
LH*

Respectfully Submitted,



Linda Annette Grice

Assistant General Counsel

Philip S. Porter

Deputy General Counsel

Frank L. Valenta, Jr.

General Counsel

South Carolina Department of Motor Vehicles

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Attorneys for the Respondents

March 17, 2014

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

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APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Carolyn C. Matthews, Administrative Law Judge

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OPINION NO. 27346  
Héard February 7, 2013 – Filed January 8, 2014

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South Carolina Department of Motor Vehicles . . . . . Respondent,

v.

Phillip Samuel Brown. . . . . Petitioner.

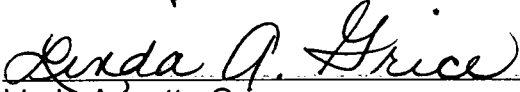
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CERTIFICATE OF SERVICE

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PURSUANT TO SCACR, I HEREBY CERTIFY that today, March 18, 2014,  
I served the Motion to File Motion Out of Time by depositing with the United  
States Postal Service, correct postage prepaid, to Counsel for the Appellant at  
the address indicated below:

Heath P. Taylor, Esquire  
3618 Sunset Boulevard, Suite D  
West Columbia, South Carolina 29169  
Counsel for Appellant

  
Linda Annette Grice  
Assistant General Counsel

March 18, 2014  
Blythewood, South Carolina

Nikki R. Haley  
Governor



Kevin A. Shwedo  
Executive Director

State of South Carolina  
Department of Motor Vehicles

RECEIVED

March 18, 2014

MAR 19 2014

S.C. SUPREME COURT

The Honorable Daniel E. Shearhouse  
Clerk, The South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

RE: South Carolina Department of Motor Vehicles vs. Phillip Samuel Brown  
Opinion No. 27346 (Filed January 8, 2014)  
**Respondent South Carolina Department of Motor Vehicles'**  
**Motion to File Motion For Costs Out of Time**

Dear Mr. Shearhouse:

With reference to the above action, enclosed please find one unbound original and seven (7) copies of the **Respondent South Carolina Department of Motor Vehicles' Motion to File Motion For Costs Out of Time**, and Certificate of Service. Please file the original and six (6) copies as required by SCACR and return the extra copy of these documents with a clerk's filing stamp in the enclosed stamped addressed envelope.

Thank you for your assistance in this matter.

In kind regards,

Handwritten signature of Linda Annette Grice in cursive.

Linda Annette Grice  
Assistant General Counsel

enclosures

c: Heath Preston Taylor, Esquire