

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2009-CP-46-03360

RECEIVED

APR 18 2014

SC Court of Appeals

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ROBERT K. MARSHALL, Jr., and
DONNA CHAPMAN MARSHALL,
doing business as "Rock Hill Property Management",
a South Carolina general partnership, Appellants,

vs.

THE CITY OF ROCK HILL, SOUTH CAROLINA,
a municipal corporation,
CAREY F. SMITH, in his capacity as City Manager, and
LORI THOMAS,
in her capacity as Customer Services Manager Respondents.

MOTION FOR EXTENSION OF TIME
or TO FILE OUTSIDE TIME

Pursuant to Rules 240, 263(b) and 211,, S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order granting them an extension of time in which to file their Final Brief and Reply Brief, on the grounds stated below:

1. The Appellants' final Brief and Reply Brief were served on March 20th, 2014. Those Brief are submitted contemporaneously with this Motion.
2. By inadvertence, both Briefs omitted the Certificate of Compliance required by Rule 211(a)< S.C.A.C.R.
3. By inadvertence, the Reply Briefs of the Appellants were printed with red covers, rather than with gray, as required by Rule 267(e), S.C.A.C.R.
4. By service this date and with this Motion, counsel for the Appellants submits a corrected

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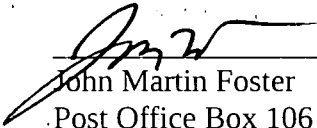
Reply Brief, with Certificate of Complince.

5. Counsel for Appellants also submits herwith unbound copies of the Certificate of Compliance. If it is the instruction of this Court that a) such Certificates be inserted by his personnel, or b) that the Brief of Appellants be reprinted, he will comply with that instruction.
6. Counsel for Appellants was unable to correct the pleadings in question due to the press of business.
7. By this Motion, and based upon the facts recited above, counsel for Appellants respectfully requests an extension of time to submit the corrections to the Appellants' final Brief and Reply Brief through the date of the receipt hereof.

The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move this Court for an extension of time in which to file the required corrections to their final Brief and Reply Brief, or to file the same outside time, through the date of the receipt hereof, pursuant to Rules 240, 263(b) and 211, S.C.A.C.R.

April 15, 2014



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Attorney for Appellants

Other Counsel of Record:

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PROOF OF SERVICE

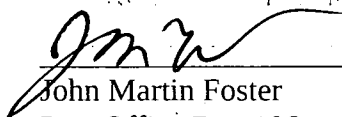
I certify that I have served the Motion for Extension of Time or to File Outside Time dated April 15, 2014, on the following counsel or persons of record:

Wm. Mark White
Jeremy D. Melville
Spencer & Spencer, PA
PO Box 790
Rock Hill, SC 29731

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above; or

by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving it in a conspicuous place therein; of if the office was closed or the person to be served has no office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 262, S.C.A.C.R.

April 15, 2014



John Martin Foster
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Attorney for Appellants

JOHN MARTIN FOSTER

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April 15, 2014

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Robert K. Marshall and Donna Chapman Marshall, Appellants
v. City of Rock Hill, et al., Respondents
Docket No. 09-CP-46-03360

Dear Ms. Kitchings:

In accordance with Rules 240, 263(b) and 211, S.C.A.C.R., enclosed herewith please also find the original and seven (7) copies of our Motion for Extension of Time or to File Outside Time, relating to the corrections to the Appellants' final Brief and Reply Brief, the originals and fifteen (15) copies of which are also included herewith, together with Certificates of Service for each of the same in the above referenced case.

By copy of this letter, I am serving the attorneys for the Respondents with copies of the said Motion, final Brief and Reply Brief, as evidenced by the said Certificates of Service.

Please return the extra conformed copies to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,



John Martin Foster

jmf/
enclosures
cc: Client File

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