

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

71991

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Roger L. Couch, Circuit Court Judge

Case No. 2013-002499

Anderson County..... Appellant,

vs.

Joey Preston and The South Carolina Retirement System Respondents.

**MOTION FOR EXTENSION OF TIME FOR APPELLANT TO FILE REPLY TO
RESPONDENTS' INITIAL BRIEFS**

J. Theodore Gentry (No. 64038)
Troy A. Tessier (No. 13354)
Alice W.W. Parham (No. 13459)
Wade S. Kolb III (No. 100379)
WYCHE, P.A.
44 East Camperdown Way
Greenville, SC 29601
864-242-8200

ATTORNEYS FOR APPELLANT
ANDERSON COUNTY

RECEIVED

APR 24 2014

SC Court of Appeals

Appellant Anderson County (“Anderson County”) hereby moves for a ten-day extension of time in which to serve and file its initial brief in reply to the reply to the initial briefs of Respondents Joey Preston and The South Carolina Retirement System.

The Court recently granted Respondent Preston’s motion for a thirty-day extension of time within which to file his initial brief. Under Rule 208(a)(3), Anderson County would have ten days after service of Respondent Preston’s brief to file its reply. The requested extension would instead make Anderson County’s brief due twenty days after service of Preston’s initial brief.

Anderson County has not previously requested an extension of this deadline. Anderson County requests the extension because of anticipated attorney time off, and because of the relative complexity of the arguments presented in this case. The additional time is necessary to properly prepare and present a full reply.

Accordingly, Anderson County hereby requests a ten-day extension of time to serve and file its initial reply brief, making its reply due twenty days after service of Respondent Preston’s initial brief.

Counsel for Joey Preston and for The South Carolina Retirement System have consented to the requested extension.

Respectfully submitted,

By: J. Theodore Gentry

J. Theodore Gentry (No. 64038)

Troy A. Tessier (No. 13354)

Alice W.W. Parham (No. 13459)

Wade S. Kolb III (No. 100379)

WYCHE, P.A.

44 East Camperdown Way

Greenville, SC 29601

864-242-8200

**ATTORNEYS FOR APPELLANT
ANDERSON COUNTY**

April 21, 2014

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Roger L. Couch, Circuit Court Judge

Appellate Case No.: 2013-002499

Anderson County, Appellant,

v.

Joey Preston and The South Carolina Retirement System, Respondents.

PROOF OF SERVICE

The undersigned counsel for Appellant certifies that the Motion for Extension of Time for Appellant to File Reply to Respondents' Initial Briefs has been served upon all other counsel of record on April 21, 2014 by depositing copies of same in the U.S. Mail, first-class postage prepaid, addressed as follows:

Lane W. Davis, Esquire
NELSON MULLINS RILEY & SCARBOROUGH,
LLP
P.O Box 10084
Greenville, SC 29603

David K. Avant, Esquire
Justin Werner, Esquire
SOUTH CAROLINA RETIREMENT SYSTEM
Fontaine Business Center
202 Arbor Lake Drive
Columbia, SC 29223

Candy Kern-Fuller, Esquire
UPSTATE LAW GROUP, LLC
200 East Main Street
Easley, SC 29640

Respectfully submitted,



J. Theodore Gentry (No. 64038)
Troy A. Tessier (No. 13354)
Wade S. Kolb III (No. 100379)
WYCHE, P.A.
44 East Camperdown Way
Greenville, SC 29601
Telephone: 864-242-8200
Telecopier: 864-235-8900
E-Mail: tgentry@wyche.com;
ttessier@wyche.com; wkolb@wyche.com

Alice W.W. Parham (No. 13459)
WYCHE, P.A.
801 Gervais Street, Suite B
Columbia, SC 29201
Telephone: 803-2254-6542
Telecopier: 803254-6544
E-Mail: tparham@wyche.com

Attorneys for Appellant

W Y C H E

Attorneys at Law

April 21, 2014

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

RE: *Anderson County v. Joey Preston and The South Carolina Retirement System*
Case Tracking No.: 2013-002499

Dear Ms. Kitchings:

We represent Appellant Anderson County in this matter. Enclosed is the original and a copy of our Motion for Extension of Time for Appellant to File Reply to Respondents' Initial Briefs.

We have also enclosed a check for the \$25 motion fee. Please return one file-stamped copy of the motion in the enclosed envelope.

With highest regards,



Lynda Romanstine
Litigation Paralegal
(864) 242-8236
lromanstine@wyche.com

Enclosures

c: Lane Davis, Esquire
Candy Kern-Fuller, Esquire
David K. Avant, Esquire
Justin Werner, Esquire

W Y C H E
PROFESSIONAL ASSOCIATION

44 East Camperdown Way, Greenville, SC 29601- 3512
p: 864.242.8200 | f: 864.235.8900
www.wyche.com

W Y C H E

Attorneys at Law

April 21, 2014

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

RE: *Anderson County v. Joey Preston and The South Carolina Retirement System*
Case Tracking No.: 2013-002499

Dear Ms. Kitchings:

We represent Appellant Anderson County in this matter. Enclosed is the original and a copy of our Motion for Extension of Time for Appellant to File Reply to Respondents' Initial Briefs.

We have also enclosed a check for the \$25 motion fee. Please return one file-stamped copy of the motion in the enclosed envelope.

With highest regards,



Lynda Romanstine
Litigation Paralegal
(864) 242-8236
lromanstine@wyche.com

Enclosures

c: Lane Davis, Esquire
Candy Kern-Fuller, Esquire
David K. Avant, Esquire
Justin Werner, Esquire

RECEIVED
APR 24 2014
SC Court of Appeals

W Y C H E
PROFESSIONAL ASSOCIATION

44 East Camperdown Way, Greenville, SC 29601- 3512
p: 864.242.8200 | f: 864.235.8900
www.wyche.com