

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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JUN 24 2014
SC Court of Appeals

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

WCC File No. 1023143

George Ferguson, Employee/Claimant, Appellant,

v.

Sean P. Unterkoefer d/b/a United Stand Moving, Employer,

and

AMERCO/U-HAUL International, Employer,

and

New Hampshire Insurance Company, Carrier for AMERCO/U-HAUL International,

and

S.C. Workers' Compensation Uninsured Employers' Fund Respondents.

**MOTION FOR LEAVE TO FILE AND SERVE
APPELLANT'S FINAL BRIEFS OUT OF TIME**

Appellant, by and through his undersigned attorney, hereby petitions this Honorable Court to grant leave to file and serve the Appellant's Final Briefs out of time. As grounds for granting this Motion, Appellant would show:

1. The Record on Appeal was timely served and filed in the Court on May 20, 2014. Final Briefs were due on June 9, 2014. Rule 211, SCACR.
2. Due to inadvertence by Attorney Samuels, Appellant did not serve and file his Final Briefs until June 24, 2014. The Briefs were filed and served contemporaneously with this motion.
3. Attorney Samuels is a sole practitioner. The attorney was out of the country May 21st

through June 1st, and in a 3-day jury trial from June 11th through 13th. Due to the press of work from being out of the country and preparation for the jury trial, undersigned counsel for Appellant inadvertently failed to meet the aforesaid deadline.

4. Respondents suffer no prejudice if the motion is granted.

THEREFORE, Appellant requests the Court issue an Order granting the Motion for Leave to File Appellant's Final Briefs Out of Time and extend the time for filing to June 24, 2014

Respectfully Submitted



Stephen B. Samuels
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Columbia, South Carolina
June 24, 2014

Stephen Samuels

From: Kristian C. Bell <kbell@collinsandlacy.com>
Sent: Monday, June 23, 2014 8:54 AM
To: 'Stephen Samuels'
Cc: 'Natasha Hanna'
Subject: RE: Ferguson v U-Haul International

Good morning,

I consent to your Motion for Leave to File and Serve Appellant's Final Briefs Out of Time.

Regards,

Kristian Bell

Kristian C. Bell

Direct: (803) 255-0497
Main: (803) 256-2660
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and

New Hampshire Insurance Company, Carrier for AMERCO/U-HAUL International,

and

S.C. Workers' Compensation Uninsured Employers' Fund Respondents.


PROOF OF SERVICE

I certify that I am paralegal to Stephen B. Samuels and I have served the **MOTION FOR LEAVE TO FILE AND SERVE APPELLANT'S FINAL BRIEFS OUT OF TIME, FINAL BRIEF OF APPELLANT** and **FINAL REPLY BRIEF OF APPELLANT** upon the Respondents by mailing a copy of the same in the United States mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below, addressed as follows:

Kristian C. Bell, Esquire
Attorney for eMove and New Hampshire Insurance Company
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211

Lisa C. Glover, Esquire
Uninsured Employers' Fund Division
State Accident Fund
Post Office Box 210039
Columbia, South Carolina 29221-0039

Sean Unterkoefer
United Stand Moving
25 Wing Street
Lisbon Falls, Maine 04252


April Harmon, Paralegal

Columbia, South Carolina

June 24, 2014



June 24, 2014

STEPHEN B. SAMUELS
ATTORNEY AT LAW

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: George Ferguson, Employee/Claimant, Appellant, v. Sean P. Unterkoefler d/b/a United Stand Moving, Employer, and AMERCO/U-HAUL International, Employer, and New Hampshire Insurance Company, Carrier for AMERCO/U-HAUL International, and S.C. Workers' Compensation Uninsured Employers' Fund, Respondents.
WCC File No.: 1023143

Dear Ms. Kitchings:

Enclosed for filing please find the original and six (6) copies of **Motion for Leave to File and Serve Appellant's Final Briefs Out of Time** in the above-referenced matter. I have also enclosed our firm's check in the amount of Twenty-Five (\$25.00) Dollars as payment of the required filing fee.

We have also enclosed the unbound original and fifteen (15) copies of **Final Brief of Appellant** and **Final Reply Brief of Appellant** for filing. We also enclose the original and one (1) copy of **Proof of Service** for filing. Please date-stamp the extra copy of the Motion and each brief and return them to our courier.

By copy of this letter and enclosures to Kristian C. Bell and Lisa C. Glover, counsel of record for the Respondents, and Sean Unterkoefler (Pro Se Respondent), we are serving each of them with a copy of our **Motion for Leave to File and Serve Appellant's Final Briefs Out of Time, Final Brief of Appellant** and **Final Reply Brief of Appellant** as indicated by the attached Proof of Service.

Thank you for your consideration in this matter. Please contact us with any questions or if further information is needed from our office.

Yours very truly,

Stephen B. Samuels

SBS/arh

Enclosures

cc w/encl.: Kristian C. Bell, Esquire
Lisa C. Glover, Esquire
Sean Unterkoefler
Natasha M. Hanna, Esquire

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JUN 23 2014

SC Court of Appeals

WE WORK HARD FOR THE PEOPLE WHO WORK.