

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Doyet A. Early, III, Circuit Court Judge

Case No. 2009-CP-02-1529

William R. Ferrara, Appellant,

v.

Michael E. Hunt, Sheriff of Aiken County and
Charles Cain in his individual capacity as Deputy Sheriff, Defendants,

Of whom Michael E. Hunt is the Respondent.

AND

William R. Ferrara, Appellant,

v.

Michael E. Hunt, Sheriff of Aiken County and
Charles Cain in his individual capacity as Deputy Sheriff, Defendants,

Of whom Charles Cain is the Respondent.

RETURN TO MOTION FOR EXTENSION
AND TO REMOVE PAGES FROM
RECORD ON APPEAL FILED WITH COURT

RECEIVED

JUN 25 2014

SC Court of Appeals

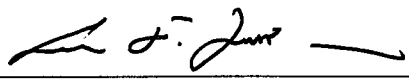
The Appellant William Ferrara has filed a Motion for Extension and to Remove Pages From Record on Appeal Filed with Court. The Respondent Michael E. Hunt consents to the requested extension.

As to the removal of pages, the Respondent Hunt agrees that there are deposition excerpts that were included in the Record on Appeal as prepared by the Appellant that were not included as part of the Circuit Court record. The Respondent Hunt consents to the removal of those pages; however, there are some differences as to what needs to be removed and/or amended.

The Respondent Hunt contends that the following pages are required to be removed: Page 457, Pages 463-467; Page 470; Page 472-476; Page 520; Pages 526-528; Page 583-588; Pages 590-591. This differs from what the Appellant proposes in three particulars: (1) page 476 should be removed because page 37 of the Ferrara deposition is not part of the lower court record; (2) page 506 should remain in because that page is actually page 143 of the Ferrara deposition and not page 146; and (3) page 583 should be removed because page 10 of the Hunt deposition was not part of the lower court record. In addition, page 1124 of the Record on Appeal needs to be corrected. Page 1124 is supposed to be page 24 of the Cain deposition but is in fact page 25 of the Ferrara deposition.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

BY:  _____

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Columbia, South Carolina

June 20, 2014

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CERTIFICATE OF SERVICE

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The undersigned employee of Davidson & Lindemann, P.A., counsel for the Defendant Michael E. Hunt, does hereby certify that service of the **Return to Motion for Extension and to Remove Pages From Record on Appeal Filed With Court** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 20th day of June 2014:

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June 20, 2014

Of Counsel
Kenneth P. Woodington

Writer's Email: alindemann@dml-law.com

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

RE: William R. Ferrara v. Michael E. Hunt, Sheriff of Aiken County and Charles Cain in his individual capacity as Deputy Sheriff
Appellate Tracing Numbers: 2013-000826 and 2013-001909
Civil Action Number: 2009-CP-02-1529
Claim Numbers: 1-0801692-001 & 1-0801693-001
Our File Number: 333.8194

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of the **Return to Motion for Extension and to Remove Pages From Record on Appeal Filed With Court** in the above referenced matter. Please file the original and return a clocked-in copy to me in the enclosed envelope.

By copy of this letter, I am serving a copy on all counsel. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.


Andrew F. Lindemann

AFL/jmb
Enclosures

cc: S. Jahue Moore, Esquire (w/ Enclosure)
John C. Bradley, Jr., Esquire (w/ Enclosure)
Matthew B. Rosbrugh, Esquire (w/ Enclosure)

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