

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

JUL 16 2014

APPEAL FROM YORK COUNTY
Court of Common Pleas

S.C. Supreme Court

John C. Hayes, III, Circuit Court Judge
Civil Case No. 07-CP-46-1889

South Carolina Court of Appeals Opinion No.: 4995 (filed on June 27, 2012)

Case Tracking Number: 2009-137246

Lawrence Keeter, Ronald Keeter, and Rebecca
Keeter..... Respondents,

v.

Alpine Towers International, Inc. and Ashley Sexton.....Defendants,
Of Whom, Alpine Towers International, Inc. is.....Petitioner.

RESPONSE TO MOTION FOR CONTINUANCE

Lawrence “Larry” Keeter, a Respondent in this matter, was a high school senior in May 2006 when the incident occurred. As a result of the incident, Larry Keeter is now a paraplegic and confined to a wheelchair for the rest of his life.

A complaint was filed on behalf of Larry Keeter and his parents, Rebecca and Ronald Keeter, in the York County Court of Common Pleas on June 4, 2007. This case went to trial on June 15, 2009 with a damages verdict in favor to Larry Keeter on June 19, 2009. On June 29, 2009, Petitioner filed post-trial motions with the Court and on July 30, 2009, the trial court judge issued an order denying the Petitioner's Judgment Notwithstanding of the Verdict, a new trial, apportionment of damages, and the motion to strike punitive damages. A Motion to Reconsider was filed and on August 17, 2009, an order denying the Motion to Reconsider was issued.

On August 26, 2009 and August 28, 2009, cross appeals were filed with the Court of Appeals. The trial transcript was prepared and received in February 2010 and on June 28, 2010, the Appellant/Respondent filed their initial brief. After the cross appeals were fully briefed, the Court of Appeals issued an order on June 27, 2012 affirming in Part, Reversing in Part and remanding the case to the lower court for an entry of judgment against Alpine. A Petition for Rehearing was filed by the Petitioner.


On July 31, 2012, the South Carolina Court of Appeals denied the Petition for Rehearing and on October 31, 2012, a Petition for Writ of Certiorari was filed with this Court. After fully briefing the issues with this Court, an Order was issued on June 12, 2014 granting questions IV and denying questions I, II, and III.

The Petitioner now asks the Court for an extension for time in which to file their brief with this Court. Respondents oppose the Petitioner's Motion for an Extension.

It has been over eight years since the incident occurred and Larry Keeter has been confined to a wheelchair. Since June 4, 2007, Larry Keeter and his family sought justice and fair compensation for the economic damages they have incurred. At the eleventh hour, and on the deadline date to file and serve the appendix and brief, the Petitioner yet requested another extension. At virtually every deadline, the Petitioner has requested an extension.

Petitioner has had more than adequate time to formulate an argument and prepare a brief explaining why the trial court and the Court of Appeals erred. In their Motion for Extension, Petitioner cites only extensive workload and a previously planned family vacation as justification for this latest attempt to delay a financial decision in this matter for the Keeters. Respondents know of no reason, and the Petitioner provides none, as to why the Motion for Extension was not filed before the day the Brief and Appendix were due to the Court.

Respondents respectfully ask the Court to deny the Request for Extension, dismiss the appeal, and send the Remittitur to the trial court so that the Respondents can once and for all receive compensation for the grievous injuries they have endured and the relief afforded them by the jury.



Richard A. Harpootlian
RICHARD A. HARPOOTLIAN, P.A.
1410 Laurel Street
Post Office Box 1090
Columbia, South Carolina, 29202
(803) 252-4848
(803) 252-4810 (facsimile)

July 16, 2014.

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge
Civil Case No. 07-CP-46-1889

SC Court of Appeals Opinion No.: 4995 (filed on June 27, 2012)

Case Tracking Number: 2009-137246

Lawrence Keeter, Ronald Keeter, and Rebecca
Keeter..... Respondents,

v.

Alpine Towers International, Inc. and Ashley Sexton.....Defendants,
Of Whom, Alpine Towers International, Inc. is.....Petitioner.

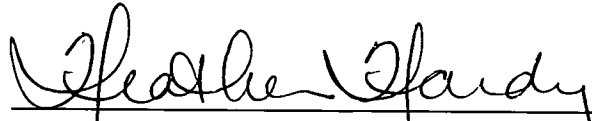
CERTIFICATE OF SERVICE

I, Heather Hardy, Legal Assistant to the attorney for the Respondents,
Richard A. Harpootlian, P.A., with offices at 1410 Laurel Street, Columbia, South
Carolina 29201, certify that on July 16, 2014, served via U.S. Mail, the following
document to the below mentioned person(s):

Documents: **Respondents' Response to Motion for Extension.**

Served: Charles E. Carpenter, Jr., Esquire
Carpenter Appeals & Trial Support, LLC

1201 Main Street, Suite 900
Columbia, South Carolina 29201

A handwritten signature in cursive script that reads "Heather Hardy". The signature is written in black ink and is positioned above a horizontal line.

Heather Hardy, Assistant to
RICHARD A. HARPOOTLIAN, P.A.
1410 Laurel Street
Post Office Box 1090
Columbia, South Carolina, 29202
(803) 252-4848
(803) 252-4810 (facsimile)

Richard A. Harpootlian, P.A.

ATTORNEYS AT LAW
1410 LAUREL STREET
COLUMBIA, SOUTH CAROLINA 29202

RICHARD A. HARPOOTLIAN
rah@harpootlianlaw.com

CHRISTOPHER P. KENNEY
cpk@harpootlianlaw.com

JAMIE L. HARPOOTLIAN*
OF COUNSEL
*admitted in Louisiana

MAILING ADDRESS
POST OFFICE Box 1090
COLUMBIA, SOUTH CAROLINA, 29202

TELEPHONE (803) 252-4848
FACSIMILE (803) 252-4810
TOLL FREE (866) 706-3997
WWW.HARPOOTLIANLAW.COM

July 16, 2014
VIA HAND DELIVERY

RECEIVED

JUL 16 2014

S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk of Court
The South Carolina Supreme Court
1231 Gervais Street
Columbia, South Carolina 29211

In re: Lawrence Keeter, et al. v. Alpine Towers International, Inc.
Case Tracking Number: 2012-212878

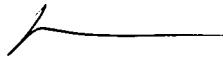
Dear Mr. Shearouse:

Enclosed please find the original and eight (8) copies of Respondents' Response to Motion for Extension. If you would please file all documents and return the additional copies to the courier, I would greatly appreciate it.

By copy of this letter and the attached Certificate of Service, I am serving opposing counsel with the same.

With warm personal regards, I am

Sincerely,



Richard A. Harpootlian

/hnh
enclosure
cc: Charles Carpenter, Esquire