

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

72847

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 CLARIFICATION AND/OR MODIFICATION

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JUL 14 2014
SC Court of Appeals

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Attorneys for Appellant

Appellant Anderson County (“Anderson County”) files this Motion for Clarification and/or Modification and states:

On April 21, 2014, Anderson County filed a motion, with the consent of all parties, seeking a ten-day extension of time in which to serve and file its reply to the initial briefs of Respondents Joey Preston and The South Carolina Retirement System. As Anderson County noted in that motion, its purpose was to “make Anderson County’s brief due twenty days after service of Preston’s initial brief.”

On May 22, 2014 this Court entered an Order providing that “the time for serving and filing the initial reply brief for appellant, Anderson County, is *hereby extended* until ten (10) days after the service of respondent, Joey Preston’s initial brief and designation of matter.” (Emphasis added.) While it appears to us the intention of this Order was to grant our motion for additional time, by its terms the Order gives Anderson County only the ten days already available to it under Rule 208(a)(3).

Accordingly, we respectfully request that this Court clarify or modify its order to give Anderson County twenty (20) days after service of Preston’s initial brief and designation of matter to serve and file its initial reply brief.

Counsel for Joey Preston and for The South Carolina Retirement System have consented to the requested extension, and to the requested clarification that this gives Anderson County twenty days after service of Preston’s initial brief to file its initial reply brief.

Respectfully submitted,

By: J. Theodore Gentry
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Attorneys for Appellant

July 11, 2014

THE STATE OF SOUTH CAROLINA

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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 Clarification and/or Modification has been served upon all other counsel of record on July 11, 2014 by depositing copies of same in the U.S. Mail, first-class postage prepaid, addressed as follows:

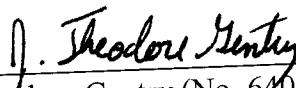
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Respectfully submitted,



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Attorneys for Appellant

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Attorneys at Law

July 11, 2014

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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

Dear Ms. Kitchings:

Enclosed please find for filing with the Court the original and seven copies of the Motion for Clarification and/or Modification and Proof of Service in connection with the above-referenced matter. Please return a file stamped copy to us in the envelope provided.

By copy of this letter we are serving this document on counsel of record.

Thank you for your assistance.

With highest regards,

Lynda T. Romanstine

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/lr
Enclosures

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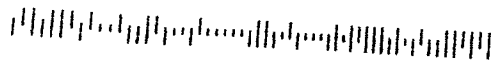
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