

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable S. Jackson Kimball, Circuit Court Judge

Case No.: 2013-00-2670

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SEP 12 2014

SC Court of Appeals

n 3527

Angela Patton, as Next Friend of
Alexia L., a minor,Appellants,

v.

Dr. Gregory A. Miller, Rock Hill Gynecological & Obstetrical Associates, P.A.
And Amisub of South Carolina, d/b/a Piedmont Medical Center,Respondents.

**MOTION FOR EXTENSION OF TIME TO
FILE INITIAL REPLY BRIEF OF APPELLANT**

COMES NOW, the Appellant, Angela Patton, as Next Friend for Alexia L., a minor, by and through her undersigned counsel, and hereby moves the Court, pursuant to Rule 224, SCACR, for an extension of time for 30 days to file its Initial Reply Brief of Appellant in this action, or until **October 9, 2014** to file said brief. In support hereof, the undersigned states the following:

1. The paralegal on this case recently resigned; and until Appellant's counsel can replace her, Counsel will need to reassign this project to another paralegal who is now facing her own deadlines and cannot finish the work on this brief in time for the required deadline.

2. Counsel for Respondents agreed to the Motion for Extension of Time to File the Initial Reply Brief of Appellant.

3. The attorney assigned to this case has recently been out of state/town for numerous depositions, mediations and court appearances.

4. Because of an inadvertent error, the prior motion for extension of time for filing the initial brief referred in its title to an extension of time for filing the initial brief, when it should have referred to an extension of time to file the initial reply brief. Further, the wherefore clause of the motion and the transmittal letter referred to a requested extension of time for filing the record on appeal, another inadvertent error. At all times, Appellant was intending to request an extension of time for filing the initial reply brief of Appellant, to which counsel for Respondents had consented. The attorney who signed the original motion did so in error, having not seen or appreciated the errors that needed to be corrected. Accordingly, counsel for Appellant respectfully requests this Court to consider this Motion for Extension of Time to File Initial Reply Brief of Appellant as timely filed.

5. Appellant submits that an extension would not unduly delay these proceedings and would not cause prejudice.

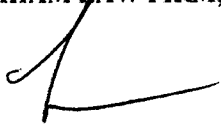
6. In response to the Appellant's initial motion for extension, which contained the errors mentioned above, the Court of Appeals was forced to construe the intent of the motion. The Court construed that Appellant's intent was to request an extension of time to file the Record on Appeal. In fact, as noted above, Appellant intended to request an extension of time to file her initial reply brief. Therefore, Appellant hereby requests an extension of time to file her initial reply brief.

WHEREFORE, Appellant respectfully requests until **October 9, 2014** in which to file the Appellant's Initial Reply Brief in this action.

Respectfully submitted,

GRAHAM LAW FIRM, P.A.

BY:



Edward L. Graham

Electronic signature 9-9-2014

383 W. Cheves St.

Florence, SC 29501

843-662-3281-T

843-665-0254-F

ATTORNEY FOR APPELLANTS

September 9, 2014

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable S. Jackson Kimball, Circuit Court Judge

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And Amisub of South Carolina, d/b/a Piedmont Medical Center,Respondents.

PROOF OF SERVICE

The undersigned, an attorney in this matter certifies that I have this **9th day of September, 2014** served a copy of the Appellant's **Motion for Extension of Time to Initial Reply Brief of Appellant** upon counsel for the Respondents by depositing in the United States mail, first-class postage prepaid, addressed to:

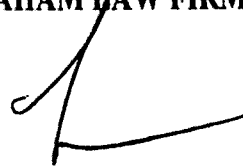
Ashby W. Davis, Esq.
Davis & Snyder, P.A.
5 Hawthorne Park Ct.
Greenville, SC 29615

R. Hawthorne Barrett, Esq.
Turner, Padget, Graham & Laney, P.A.
Post Office Box 1473
Columbia, SC 29202

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William U. Gunn, Esq.
Holcombe Bomar, P.A.
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BY:

Edward L. Graham

Electronic signature 9-9-2014

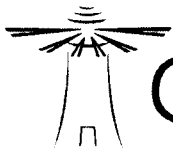
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P.O. Box 550

Florence, SC 29503

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Attorney for the Appellant



GRAHAM LAW

Shining a Light on Safety, Guiding the Way to Justice.

Edward L. Graham
Diane M. Rodriguez, RN-JD
J. Layton Ruffin

September 9, 2014

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

***RE: Angela Patton, as Next Friend of Alexia L., a minor v. Dr. Gregory A. Miller,
Rock Hill Gynecological & Obstetrical Associates, P.A. and Amisub of South
Carolina, d/b/a Piedmont Medical Center***

C/A No.: 2013-00-2670

Dear Ms. Kitchings:

Enclosed please find my firm's check in the amount of \$25.00 along with the original and 6 copies of the Motion for Extension of Time to File Initial Reply Brief of Appellant in the above referenced matter or until **October 9, 2014**.

As per the attached Proof of Service, we are serving all counsel of record with a copy of this request.

With kindest personal regards, I am

Yours very truly,

Edward L. Graham

ELG/jmr

Enclosures

cc: R. Hawthorne Barrett, Esq.
William U. Gunn, Esq.
Ashby W. Davis, Esq.

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