

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

Alexander S. Macaulay, Circuit Court Judge

**RECEIVED**

Appellate Case No. 2013-000678

OCT 20 2014

Opinion No. 5072 (S.C. Ct. App. filed Jan. 16, 2013) **S.C. SUPREME COURT**  
(Withdrawn, Substituted, and Refiled Feb. 27, 2013)

Michael Cunningham, ..... Respondent/Petitioner,

v.

Anderson County, ..... Petitioner/Respondent.

MOTION FOR EXTENSION OF TIME TO FILE PETITIONER/RESPONDENT  
ANDERSON COUNTY'S BRIEF IN OPPOSITION TO BRIEF OF  
RESPONDENT/PETITIONER MICHAEL CUNNINGHAM

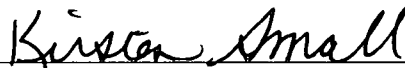
Pursuant to Rule 263(b), SCACR, Petitioner/Respondent Anderson County requests a 30-day extension of time in which to file its Brief in Opposition to the brief filed by Respondent/Petitioner Michael Cunningham. Mr. Cunningham filed his Brief of Respondent/Petitioner on September 22, 2014. Accordingly, Anderson County's Brief in Opposition is currently due on or before Wednesday, October 22, 2014. If the requested extension is granted, Anderson County's brief would be due on or before Friday, November 21, 2014.

This motion is made on grounds that, due to undersigned counsel's trial schedule and workload, additional time is needed to prepare Anderson County's Brief in Opposition. This is Petitioner/Respondent's first request for an extension, and the

extension is not intended for purposes of delay.

Counsel for Respondent/Petitioner have graciously consented to this request.

Respectfully submitted,



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William W. Wilkins

Kirsten E. Small

NEXSEN PRUET, LLC

55 E. Camperdown Way (29601)

Post Office Drawer 1648

Greenville, SC 29603

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[BWilkins@nexsenpruet.com](mailto:BWilkins@nexsenpruet.com)

*Attorneys for Petitioner/Respondent  
Anderson County*

October 16, 2014  
Greenville, South Carolina

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

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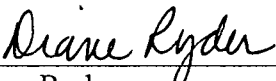
PROOF OF SERVICE

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I certify that I have served the foregoing Motion for Extension of Time on Respondent/Petitioner Michael Cunningham by depositing a copy of same in the United States Mail, postage prepaid, on October 16, 2014, addressed to his attorneys of record as follows:

John S. Nichols, Esq.  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC  
Post Office Box 7965  
Columbia, South Carolina 29202

Brian P. Murphy, Esq.  
Stephenson & Murphy LLC  
207 Whitsett Street  
Greenville, South Carolina 29601

  
\_\_\_\_\_  
Diane Ryder

September 22, 2014

The Honorable Daniel E. Shearouse  
The Supreme Court of South Carolina  
1231 Gervais Street  
Columbia, South Carolina 29201

Re: *Michael Cunningham, Respondent/Petitioner v.  
Anderson County, Petitioner/Respondent  
Appellate Case No. 2013-000678*

Dear Mr. Shearouse:

Enclosed for filing please find the original and seven copies of Petitioner/Respondent Anderson County's Motion for Extension of Time to File Petitioner/Respondent Anderson County's Brief in Opposition to Brief of Respondent/Petitioner Michael Cunningham and Proof of Service. Kindly file the original and six copies and return one clocked copy in the provided pre-paid envelope. Also enclosed is a check in the amount of \$25.00 for the filing fee.

By way of copy, I am serving Respondent/Petitioner's counsel with the same. Thank you for your assistance.

Very truly yours,



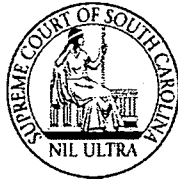
Kirsten E. Small

KES/dkr  
Enclosures  
cc: Counsel of Record

RECEIVED

OCT 20 2014

S.C. SUPREME COURT



# The Supreme Court of South Carolina

Nexsen Pruettt

10/21/2014

## RECEIPT #73914

**Case No:** 2013-000678  
**Case Short Title:** Michael Cunningham v. Anderson County  
**Event:**  
**Fee Type:** Motion Fee  
**Amount:** \$25.00  
**Payment Type:** Check  
**Reference No:** 436357  
**Check/Money Order Date:** 10/16/2014  
**Comments:**