

(A)

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HONORABLE MARVIN I. LAWSON,
THE HONORABLE J. MICHAEL BAXLEY
DARLINGTON COUNTY
TRIAL COURT CASE NO. 2013-CP-16-431

RECEIVED

OCT 23 2014

SC Court of Appeals

APPELLATE CASE NO. 2014-000589

73941

Wilkins Lee Byrd, Kay R. Larsen, John Norwood Klettner, Laura K. Bynum, Ann B. Crump, Robert Larsen, Joan Rutledge Gary, John Robert Stanton, John Robert Stanton, Charles E. Stanton, Byrd L. Thomson, and John Doe and Richard Roe as Representatives of all persons unknown claiming any right, title, estate, interest in or lien upon the real estate described in the Appeal herein, including but not limited to any unknown owners, unknown heirs, unknown devisees of S. W. Byrd, Mary Moore Byrd, Etta B. Klettner, S. J. Klettner, Sr., Susan Wilkins Byrd, Mary M. Byrd, Joseph D. Rutledge, John R. Larsen, Charles E. Byrd, Jewel Butler Byrd, Wilkins Norwood Byrd, Ruth Byrd, Mariam Moore Byrd, Mary K. Stanton, S. J. Klettner, Jr., Mary R. Larsen, John Rutledge Gary, Jewel Elizabeth Byrd, or any other person, any unknown infants or persons under disability or persons in the military service designated as Richard Roe, as to the property described in the Petition herein and designated as Tax Map No. 076-00-02-004,

.....Appellants.

Vs.

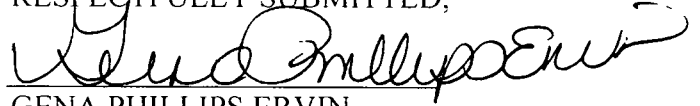
E. Butler McDonald.....Respondent.

MOTION TO FILE RESPONDENT'S FINAL BRIEF OUT OF TIME

The Respondent, by and through their undersigned Attorney, hereby moves this Court for an order allowing the Respondent to file the Final Brief out of time. The undersigned mistakenly calculated the 20 day time period for the day the Appellants Final Brief was served rather than 20 days after the Record on Appeal was served.

Respondent's Final Brief is submitted herewith condition upon the grant of the motion
for permission to file out of time.

RESPECTFULLY SUBMITTED,



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ATTORNEYS FOR RESPONDENT

Florence, South Carolina

October 21, 2014

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October 22, 2014

Elizabeth Carter
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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OCT 23 2014

RE: Wilkins Lee Byrd, et al. v. E. Butler McDonald
Appellant Case No.: 2014-000589
My File No.: 6434.001

SC Court of Appeals

Dear Ms. Carter:

Enclosed please find a Respondents Motion to File Final Brief Out of Time. I am also enclosing a check in the amount \$25.00 to cover the cost of filing the same.

If you have any questions or need anything further, please do not hesitate to call.

With warmest personal regards, I am

Yours very truly,

ORR, ELMORE & ERVIN, LLC

BY:

Gen Phillips Ervin

GENA PHILLIPS ERVIN

GPE/lew

cc: Brown W. Johnson