

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

William Jeffrey Young, Circuit Court Judge

Case No. 2010-CP-26-5964

William H. Bailey, Jr.,

Appellant,

v.

City of North Myrtle Beach,
a South Carolina Municipal
Corporation,

Respondent.

**MOTION TO ACCEPT LATE RESPONDENT'S RETURN TO APPELLANT'S
SECOND MOTION TO SUPPLEMENT THE RECORD**

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SC Court of Appeals

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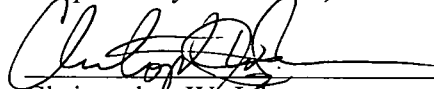
MOTION

Respondent City of North Myrtle Beach ("City") moves the Court for an Order accepting late its Return to Appellant's Second Motion to Supplement the Record ("Motion") on the following grounds:

Late in the afternoon of October 28, 2014, undersigned counsel was contacted by the Clerk's Office to determine whether he wished to respond to Appellant's Motion. Counsel had not seen the Motion, which he was informed was marked filed with the Court on October 16, 2014,¹ and was provided instructions for retrieving a copy from C-Track. Counsel promptly downloaded the motion the following morning and telephoned the Clerk's Office that he had been unable to locate a copy of the motion having been served on him and was otherwise unable to determine he had been served, that he did intend to respond, and that he needed until the end of the week (October 31, 2014) to file the response. Counsel was advised, based on that timeframe, to file a motion requesting the Court to accept the return late along with the return.

Accordingly, Respondent requests that the Court grant its motion to accept the return late.

Respectfully submitted,



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October 29, 2014

¹ The envelope on file in C-Track indicates the Motion was post-marked October 13, 2014. If it were also served that date, the City's return would have been due October 23, 2014.