

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE COURT OF COMMON PLEAS
Honorable G. Thomas Cooper, Jr.
Circuit Court Case No.: 2007-CP-40-03365
Appellant Case No. 2014-001373

RECEIVED

DEC 18 2014

SC Court of Appeals

Edward Mims, by and through his legal
guardian, Margaret Mims,
Appellant

vs.

Babcock Center, Inc., Judy Johnson, the
South Carolina Department of Disabilities
and Special Needs, Kathi Lacy and Stan
Butkus,
Respondent.

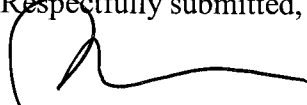
174520

MOTION BY CONSENT TO FILE DESIGNATION OF MATTER
OUT OF TIME AND TO EXTEND RESPONDENT'S
DUE DATE FOR INITIAL BRIEF TO JANUARY 15, 2015

Appellant moves to file the Designation of Matter, which is attached, out of time. Grounds for this motion are that Mims has been hospitalized and was taken off of a ventilator and feeding tube around the time Appellant's Initial Brief was filed on December 4, 2014. Mims' condition has improved and discharge plans from the hospital are currently being made. Counsel has spent a significant amount of time assisting Mims' guardian in making arrangements for his care upon discharge from the hospital. Also, since Mims' initial brief was filed, Appellant's counsel had two briefs due in the federal district court and other deadlines.

By consent, the parties also request that the deadline to Respondent's Initial Brief be extended to January 18, 2015.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Patricia Logan Harrison', with a long horizontal flourish extending to the right.

Patricia Logan Harrison, Esquire
611 Holly Street
Columbia, Sc 29205
803-256-2017

Attorney for Appellant

December 18, 2014 .

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

DEC 18 2014

APPEAL FROM THE COURT OF COMMON PLEAS
Honorable G. Thomas Cooper, Jr.
Circuit Court Case No.: 2007-CP-40-03365
Appellant Case No. 2014-001373

SC COURT OF APPEALS

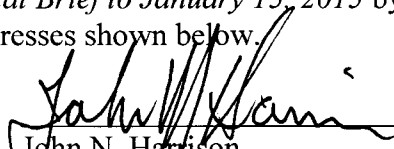
Edward Mims, by and through his legal
guardian, Margaret Mims,
Appellant

vs.

Babcock Center, Inc., Judy Johnson, the
South Carolina Department of Disabilities
and Special Needs, Kathi Lacy and Stan
Butkus,
Respondent.

CERTIFICATE OF SERVICE

I, John N. Harrison, certify that I have served Appellant's *Designation of Matter to be Included in the Record on Appeal* as well as *Motion by Consent to File the Designation of Matter out of Time and to Extend Respondent's Due Date for Initial Brief to January 15, 2015* by hand delivery on December 18, 2014, to the attorneys at the addresses shown below.


John N. Harrison
Law Office of Patricia L. Harrison
611 Holly Street
Columbia, Sc 29205

Christian Stegmaier, Esq.
Collins & Lacy, P.C.
1330 Lady Street
Columbia, SC 29201

Kenneth P. Woodington, Esq.
Davidson & Lindemann, P.A.
1611 Devonshire
Columbia, SC 29206

PATRICIA L. HARRISON
ATTORNEY AT LAW
611 HOLLY STREET
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE (803) 256-2017

FAX (803) 256-2213

December 18, 2014

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
PO Box 11629
Columbia, South Carolina 29211 734-1890

Hand Delivery

Re: **Edward Mims v. Babcock Center, Inc.**
Appellate Case No. 2014-001373

Dear Ms. Kitchings:

Enclosed is Appellant's *Designation of Matter*, along with a *Motion by Consent* to file out of time and to extend the time to file Respondent's brief. Also enclosed is a check for \$25.00 for the *Motion* as well as a Certificate of Service. Please clock the copies.

Thank you for your assistance in this matter.

Cordially,



Patricia Logan Harrison

Enclosures

c: Christian Stegmaier, Esq.
Kenneth P. Woodington, Esq.

PLH:jnh

RECEIVED

DEC 18 2014

SC Court of Appeals