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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
CASE No. 2011- CP-10-1084
Circuit Court Judge R. Markley Dennis, Jr.

RÖOSEVELT SIMMONS..... Appellant

Vs.

MASE and COMPANY, LLC,
J. AL CANNON, JR.,
CHARLESTON COUNTY SHERIFF'S DEPARTMENT,
CHARLESTON COUNTY REVENUE COLLECTIONS DEPARTMENT

and
HARRY LONG..... Respondents

APPELLANT'S MOTION FOR
LEAVE TO FILE
OVER LENGTH INITIAL BRIEF

Appellant Roosevelt Simmons files this motion for leave to file an over length Initial Brief based upon the following. This appeal arises from an order granting summary judgment to Respondents County Revenue Collections Department, County Sheriff's Department and Harry Long. The appeal involves complex questions of the jurisdiction of the Magistrate's Court, the Circuit Court, the applicability of a Charleston County user fee ordinance to Appellant's property, an alleged civil rights violation and negligence in the enforcement of a judgment entered against Appellant and equitable reasons to vacate the Sheriff's sale involving an extended time period . The Designation of Matter contains hundreds of pages of motions and discovery materials. Appellant has attempted to address all of the issues raised

in the appeal in the allowable page limit under R 208(a) (5), SCACR but was unable to do so within 50 pages. As a result the Initial Brief exceeds the allowable limit by 9 pages.

Appellant requests leave for the filing of the over length Initial Brief. Appellant asserts that it is in the interest of justice to grant this extension of the page limit so that the issues can be fully addressed.

Respectfully submitted,

By: 

Edward A. Bertele, Esq.

S.C. Bar No 72521

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Attorney for Appellant, Roosevelt Simmons

Dated: February 27, 2015
Charleston, SC

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APPEAL FROM CHARLESTON COUNTY
CASE No. 2011- CP-10-1084
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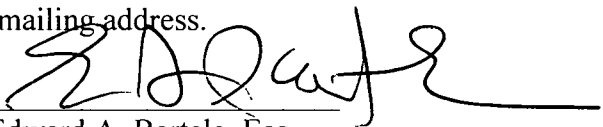
ROOSEVELT SIMMONS..... Appellant

Vs.

MASE and COMPANY, LLC,
J. AL CANNON, JR.,
CHARLESTON COUNTY SHERIFF'S DEPARTMENT,
CHARLESTON COUNTY REVENUE COLLECTIONS DEPARTMENT
and
HARRY LONG..... Respondents

CERTIFICATION OF SERVICE

I hereby certify that a true copy of the Appellant's Initial brief, Designation of Matter to be included in Record on Appeal and Appellant's Motion for leave to file over length Initial Brief was served upon the Respondents attorneys, Christopher Dorsel, Esq. and Wendy Keefer, Esq. by regular mail postage prepaid at their last known mailing address.


Edward A. Bertele, Esq.

February 27, 2015

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