

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2007-CP-40-03365
Case No. 2014-001373

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, Respondents.

**RESPONDENTS
BABCOCK CENTER, INC.
AND JUDY JOHNSON'S
MOTION TO FILE
RESPONDENTS' INITIAL BRIEF
AND DESIGNATION OF MATTER
OUT OF TIME**

TO: THE HONORABLE JUDGES OF THE COURT OF APPEALS OF SOUTH
CAROLINA:

Pursuant to Rule 240, SCACR, Respondents Babcock Center, Inc. and
Judy Johnson move to file Respondents' Initial Brief and Designation of

Matter out of time. Respondents' Initial Brief and Designation of Matter were due Thursday, April 23, 2015.

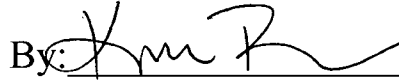
Respondents respectfully move this Court for an Order granting them leave to file Respondents' Initial Brief and Designation of Matter out of time. Counsel for Respondents represent to this Court that they have been conscientious in their efforts to prepare Respondents' Initial Brief and Designation of Matter; however, because of the number and complexity of the issues extant in the instant case, and counsel having to be out of state for the last several weeks for depositions, mediations and meetings, counsel respectfully requests the Court's assistance with regard to this request for leave to file Respondents' Initial Brief and Designation of Matter out of time.

This will be Respondents one and only request for briefing out of time concerning this briefing and is mindful of the Court's admonition concerning any further requests for extension, as outlined in the Court's recent order to the Bar regarding the same.

Counsel for Respondents greatly appreciates the Court's time, attention, and assistance with regard to this request.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

Respectfully submitted,
COLLINS & LACY, P.C.

By: 

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May 8, 2015
Columbia, South Carolina

**ATTORNEYS FOR RESPONDENTS
BABCOCK CENTER, INC.
AND JUDY JOHNSON**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
G. Thomas Cooper, Jr., Circuit Court Judge

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SC Court of Appeals

Case No. 2007-CP-40-03365
Case No. 2014-001373

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, Respondents.

PROOF OF SERVICE


Counsel for Respondents Babcock Center, Inc. and Judy Johnson certifies that (s)he has served the Designation of Matter to be Included in the Record on Appeal, the Initial Brief of Respondents Babcock Center, Inc. and Judy Johnson, the Motion to File Respondents' Initial Brief Out of Time, and Notice of Appearance of Kerri Rupert on all parties by depositing a copy of it

in the United States Mail, postage prepaid, on May 8, 2015, addressed to the following attorneys of record:

Patricia Logan Harrison, Esquire
611 Holly Street
Columbia, SC 29205
Counsel for Appellant

Kenneth P. Woodington, Esquire
Davidson & Lindemann, P.A.
P. O. Box 8568
Columbia, SC 29202-8568
***Counsel for Respondents the South Carolina
Department of Disabilities and Special Needs, Kathi Lacy
And Stan Butkus***

Respectfully submitted,
COLLINS & LACY, P.C.

By: 
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**PROOF OF SERVICE –
ATTORNEYS FOR RESPONDENTS
BABCOCK CENTER, INC. AND
JUDY JOHNSON**



Kerri A. Rupert | D: 803.255.0421 | E: krupert@collinsandlacy.com

May 8, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
MAY 12 2015
SC Court of Appeals

Re: Edward Mims, by and through his legal Guardian, Margaret Mims, Appellant, v.
Babcock Center, Inc, Judy Johnson, et al, Respondents
Civil Action No. 2007-CP-40-3365
Appellate Case No. 2014-001373
C&L File No. 000969-00109

Dear Ms. Kitchings:

Enclosed for filing, please find an original of each of the following:

- (1) Initial Brief of Respondents Babcock Center, Inc. and Judy Johnson;
- (2) Respondents Babcock Center, Inc. and Judy Johnson's Designation of Matter to be Included in the Record on Appeal;
- (3) Motion to File Respondents' Initial Brief and Designation of Matter Out of Time;
- (4) Notice of Appearance of Kerri A. Rupert; and
- (5) Proof of Service.

Thank you for your assistance in this matter and please call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerri A. Rupert".

Kerri A. Rupert

KAR/mmm
Enclosures

cc: Patricia Logan Harrison
Kenneth P. Woodington

Hasler

05/08/2015

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SC Court of Appeals



1330 Lady Street, Sixth Floor (29201) Post Office Box 12487 | Columbia, SC 29211

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
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