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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

George C. James, Jr., Circuit Court Judge

RECEIVED
JUN 05 2015
SC Court of Appeals

Appellate Case No. 2013-000022
Case No. 2011-CP-36-00588

Danny Abrams and Frances Abrams,Appellants,

v.

City of Newberry,Respondent,

**MOTION TO FILE
PETITION FOR REHEARING
OUT OF TIME**

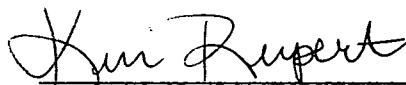
TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT
OF APPEALS:

Counsel for Appellants moves this Court to file Appellants' Petition for Rehearing out of time. There was an internal miscommunication regarding filing the Petition for Rehearing pursuant to Rule 221(a), of the South Carolina Appellate Court Rules. Rather than hand delivering the Petition for Rehearing to the Court to confirm the Court actually received it within fifteen

days of filing of the opinion pursuant to Rule 221(a), SCACR, the Petition for Rehearing was mailed to the Court. Despite the internal miscommunication, counsel for Appellants respectfully requests this Court to grant its motion to file the Petition for Rehearing out of time.

Respectfully submitted,

COLLINS & LACY, P.C.

By: 

FOR CHRISTIAN STEGMAIER

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(803) 256-2660 (voice)

(803) 771-4484 (facsimile)

ATTORNEYS FOR APPELLANTS

Columbia, South Carolina

June 4, 2015

THE STATE OF SOUTH CAROLINA
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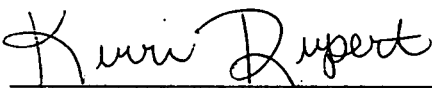
PROOF OF SERVICE

I hereby certify that I served a copy of the Motion to File Petition for Rehearing Out of Time upon all parties, by placing a copy in the United States mail, postage prepaid, to all counsel of record on June 4, 2015, addressed to the following:

COUNSEL SERVED:

David L. Morrison, Esquire
Morrison Law Firm
7453 Irmo Drive, Suite B
Columbia, SC 29212

Respectfully submitted,
COLLINS & LACY, P.C.

By: 

FOR CHRISTIAN STEGMAIER
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ATTORNEYS FOR APPELLANTS

**PROOF OF SERVICE – MOTION
TO FILE PETITION FOR
REHEARING OUT OF TIME**

Columbia, South Carolina
June 4, 2015



Christian Stegmaier | D: 803.255.0454 | E: cstegmaier@collinsandlacy.com

June 5, 2015

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RECEIVED

JUN 05 2015

SC Court of Appeals

RE: *Danny Abrams and Frances Abrams v. City of Newberry*
Appellate Case No.: 2013-000022
C/A No.: 2009-CP-36-222
C&L File No.: 1325-100

Dear Ms. Kitchings:

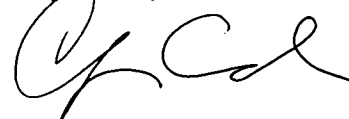
Please find enclosed for filing the original and seven (7) copies of Appellants' Motion to File Petition for Rehearing Out of Time as well as an original and seven (7) copies of Appellants' Petition for Rehearing in the above-referenced matter. I am also enclosing herewith two checks in the amount of \$25.00 for the required filing fees. Please return file stamped copies of each to our courier.

The original and seven (7) copies of Appellants' Petition for Rehearing were inadvertently mailed yesterday with the \$25.00 filing fee due to internal miscommunication. Please void that check and return with our courier.

By copy of this letter, I am serving a copy of same upon counsel for Respondent.

Thank you for your time and attention. Should you have any questions, please do not hesitate to contact me.

Respectfully,


Christian Stegmaier

CS:srm
Enclosures

Cc: *(Via United States Mail)*
David L. Morrison, Esquire
Danny Abrams
Frances Abrams