

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
JUL 16 2015
SC Court of Appeals

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

v.

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

Respondents.

MOTION FOR CHANGE OF CAPTION
AND TO FILE REPLY BRIEF OUT OF TIME

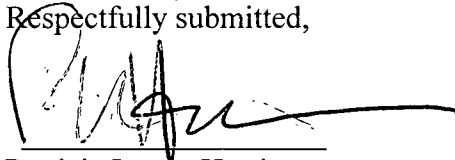
Edward Mims died March 7, 2015. On July 9, 2015, Laura M. Cole was appointed Personal Representative of his Estate. We respectfully request that the Court change the caption of this case to "Laura M. Cole, Personal Representative, Estate of Edward James Mims, Appellant, v. Babcock Center, Inc., Judy Johnson, the South Carolina Department of Disabilities and Special Needs, Kathi Lacy, and Stan Butkus, Respondents."

Appellant's Reply Brief was due on July 15, 2015. On the afternoon of July 15, 2015, counsel for Babcock Center Respondents asked counsel for Appellant to delay filing Mims' brief because those parties were close to reaching a settlement. Counsel for the DDSN Respondent's consented to Appellant file out of time. In the event that a settlement is not reached by July 20, 2015, Appellant requests a one week extension, with the consent of all parties. In the event that an

agreement is not reached by July 20, 2015, additional time may be needed, because resolution will require another state agency to waive any claims against the settlement proceeds.

Appellant respectfully requests an extension of one week.

Respectfully submitted,

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

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Attorney for Appellant

July 16, 2015

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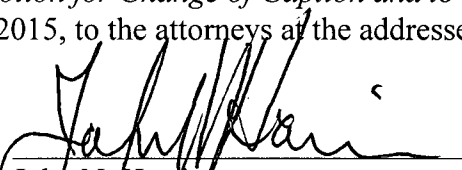
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CERTIFICATE OF SERVICE

I, John N. Harrison, certify that I have served the *Motion for Change of Caption and to File Reply Brief Out of Time* by United States Mail on July 16, 2015, to the attorneys at the addresses shown below.


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