

76741

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

JUL 27 2015

Edgar W. Dickson, Presiding Judge

SC Court of Appeals

Case No. 2010-CP-40-1095
Appellate Case No. 2015-000109

Protection and Advocacy for People with Disabilities,
Inc.,

Appellant,

v.

Beverly A. H. Buscemi, Ph.D., in her official capacity as
State Director, South Carolina Department of Disabilities
and Special Needs and The South Carolina Department
of Disabilities and Special Needs, and Kelly Hanson
Floyd, Nancy Banov, W. Robert Harrell, Rick Huntress,
Deborah McPherson and Dr. Otis Speight in their
Official Capacities as Members of the Department of
Disabilities and Special Needs Commission,

Respondents.

**MOTION FOR EXTENSION OF TIME TO FILE
INITIAL REPLY BRIEF OF APPELLANT**

Appellant respectfully moves this Court for a ten day extension of time until
August 6, 2015 by which to file and serve Appellant's Initial Reply Brief.

This motion is based on the following grounds:

1. The Initial Reply Brief is currently due to be filed and served on July 27,
2015.
2. The undersigned counsel for Appellant requires additional time to complete
the preparation of the Initial Reply Brief because of other deadlines and obligations.

3. Counsel for Respondents has been consulted and has consented to the requested extension.

WHEREFORE, Appellant respectfully requests to be allowed until August 6, 2015, by which to file and serve its Initial Reply Brief. Appellant further requests that the current deadline be held in abeyance while the Court considers this request.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Reid T. Sherard
SC Bar No. 72536
E-Mail: reid.sherard@nelsonmullins.com
Phillips L. McWilliams
SC Bar No. 101809
E-Mail: phillips.mcwilliams@nelsonmullins.com
Post Office Box 10084
Greenville, SC 29603
(864) 250-2300

Protection and Advocacy for People with Disabilities, Inc.
Anna Maria Darwin
545 N. Pleasantburg Drive, Suite 106
Greenville, South Carolina 29609
(864) 235-0273
Thornwell W. Simons
3710 Landmark Drive, Suite 208
Columbia, South Carolina 29204
(803) 782-0639

Attorneys for Appellant

Greenville, South Carolina

July 27, 2015

THE STATE OF SOUTH CAROLINA
In the Court Of Appeals

APPEAL FROM RICHLAND COUNTY
In the Court of Common Pleas

Edgar W. Dickson, Presiding Judge

Case No. 2011-CP-40-1095
Appellate Case Number 2015-000109

RECEIVED
JUL 27 2015
SC Court of Appeals

Protection and Advocacy for People with Disabilities, Inc.,

Appellant,

v.

Beverly A. H. Buscemi, Ph.D in her official capacity as State Director, South Carolina Department of Disabilities and Special Needs and The South Carolina Department of Disabilities and Special Needs, and Kelly Hanson Floyd, Nancy Banov, W. Robert Harrell, Rick Huntress, Deborah McPherson and Dr. Otis Speight in their Official Capacities as Members of the Department of Disabilities and Special Needs Commission.

Respondent,

PROOF OF SERVICE

I certify that on July 27, 2015 I served Motion for Extension of Time to File Initial Reply Brief of Appellant by mailing a copy of the same by United States Mail, postage prepaid, to William H. Davidson, II, Kenneth P. Woodington, 1611 Devonshire Drive, Second Floor, Post Office Box 8568, Columbia, South Carolina 29202.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: RTS by permission PLM

Reid T. Sherard, SC Bar No. 72536

E-Mail Address: reid.sherard@nelsonmullins.com

104 South Main Street / Ninth Floor

Post Office Box 10084 (29603-0084)

Greenville, SC 29601

(864) 250-2300

Greenville, South Carolina

Dated: 7/27/15

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
104 South Main Street / Ninth Floor / Greenville, SC 29601
Tel: 864.250.2300 Fax: 864.250.2328
www.nelsonmullins.com

Reid T. Sherard
Tel: 864.250.2219
Fax: 864.250.2328
reid.sherard@nelsonmullins.com

July 27, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED

JUL 27 2015

SC Court of Appeals

RE: Protection and Advocacy for People with Disabilities, Inc. v. Beverly A. H.
Buscemi, Ph.D., et al.
Case No. 2010-CP-40-1095
Appellate Case No. 2015-000109

Dear Ms. Kitchings:

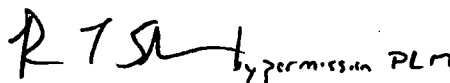
Due to other conflicting court deadlines and work obligations, Appellant Protection and Advocacy for People with Disabilities, Inc. respectfully requests a ten (10) day extension of time to file Appellant's Reply Brief in the above-referenced matter.

Appellant's Reply Brief is currently due on July 27, 2015. With the 10 day extension, the Reply Brief would be due on August 6, 2015. **Appellant requests that the current deadline be held in abeyance while the Court considers this request.**

Enclosed is a \$25 check and the motion.

Please let me know if anything further is needed.

Very truly yours,

 by permission PLM

Reid T. Sherard

RTS:kmj

Enclosure

cc: Kenneth P. Woodington
William H. Davidson