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**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2012-CP-10-5429

RECEIVED
JUL 27 2015
SC Court of Appeals

Sara Y. Wilson,

Appellant,

v.

Charleston County School District,

Respondent,

**MOTION FOR LEAVE TO FILE RESPONDENT'S INITIAL BRIEF
AND DESIGNATION OF MATTERS OUT OF TIME**

YOUNG CLEMENT RIVERS LLP
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*Attorneys for the Respondent
Charleston County School District*

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

COMES NOW Charleston County School District (“Respondent”), by and through its undersigned counsel, and respectfully moves this Honorable Court to accept Respondent’s initial brief and designation of matters for filing out of time (such brief and designation of matters are attached hereto).

In support hereof, Respondent would show unto this Court as follows:

1. Appellant Sara Y. Wilson filed this appeal on December 3, 2014. Her initial brief and designation of matters were filed on March 4, 2015.

2. According to the South Carolina Appellate Court Rules, Respondent’s brief was due on or before April 3, 2015.

3. By way of previous requests for extension of time, this Court entered an Order on June 12, 2015 allowing Respondent up to and including July 6, 2015 to file and serve its initial brief and designation of matters.

4. On July 6, 2015, the undersigned counsel for Respondent filed a Fourth Motion for Extension of Time seeking an additional 30-day extension, up to and including August 5, 2015 to file and serve Respondent’s initial brief and designation of matters. The undersigned thought she had indicated the reason for the fourth request was due to medical necessity, wishing to keep the details private. The undersigned has since realized that

this portion was omitted in her recent request for extension, and that it is not possible to keep these matters private.

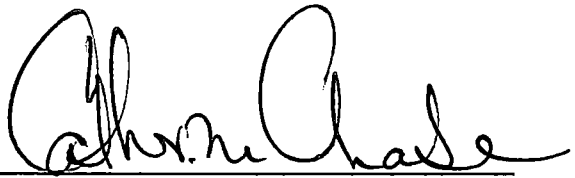
5. On July 14, 2015 this Court entered an Order denying Respondent's latest request for an extension of time due to the failure to make a showing of extraordinary circumstances.

6. The undersigned was diagnosed with breast cancer on June 22, 2015 and underwent numerous tests thereafter to determine the extent of the cancer and how to treat it. As such, she was unable to meet the prior deadline of July 6, 2015. Although the undersigned is undergoing chemotherapy now, she has worked diligently to complete Respondent's initial brief and designation of matters. She humbly and respectfully submits the above as a showing of extraordinary circumstances for not meeting the Court's prior deadline.

For the foregoing reasons, and to the extent that such is now necessary and the initial brief and designation of matters submitted by Respondent on July 23, 2015 are not deemed to be filed as submitted, Respondent hereby moves to be allowed to file such brief and designation out of time. The undersigned submits there exists good cause for the granting of such motion as the adjudication of this matter on its merits is in the interest of justice and works no undue prejudice upon the Appellant.

The undersigned has consulted with Appellant's counsel, Blake Hewitt, who has no objection to this request. The undersigned further submits there is no good cause, and that it would be inequitable, to strike Respondent's brief under the circumstances presented.

YOUNG CLEMENT RIVERS LLP

By: 

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*Attorneys for the Respondent
Charleston County School District*

Charleston, South Carolina

Dated: July 23, 2015

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PROOF OF SERVICE

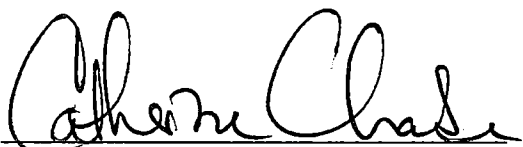
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lwhitten@ycrlaw.com
*Attorneys for the Respondent
Charleston County School District*

I, Catherine H. Chase, of Young Clement Rivers, LLP, counsel for the Respondent above named, do hereby certify that I have served the **Motion to File Respondent's Initial Brief and Designation of Matters out of Time** on the above-named Appellant by depositing a copy of the same in the United States Mail, postage prepaid, on July 23, 2015, addressed as follows to their counsel of record:

Tiffany R. Spann-Wilder, Esquire
The Spann-Wilder Law Firm, L.L.C.
P. O. Box 70488
N. Charleston, SC 29415

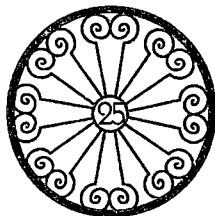
Blake A. Hewitt, Esquire
John S. Nichols, Esquire
Bluestein Nichols Thompson Delgado, LLC
P. O. Box 7965
Columbia, SC 29202

YOUNG CLEMENT RIVERS, LLP

By: 
Catherine H. Chase

Charleston, South Carolina

Dated: July 23, 2015



YCR LAW

Young Clement Rivers, LLP

CELEBRATING 50 YEARS OF LEGAL SERVICE

Catherine H. Chase

50 YEARS

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July 23, 2015

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JUL 27 2015

Re: Sara Y. Wilson v. Charleston County School District
Appellate Case No. 2014-002596
Case No.: 2014-002596
YCR File: 6959-20062070

SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the original and two copies of the *Initial Brief of Respondent*, *Respondent's Designation of Matter to be Included in the Record on Appeal* and a *Proof of Service* regarding the same.

Also enclosed are the original and seven copies of a *Motion for Leave to File Respondent's Initial Brief and Designation of Matters Out of Time*, the original and two copies of a *Proof of Service* regarding the same, and a firm check in the amount of \$25.00 to cover the costs associated with this motion.

Kindly file all originals and return one court-stamped copy of each document to me using the pre-stamped envelope provided. Thank you in advance for your attention to this matter. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Catherine H. Chase

CHC/amj
Enclosures

cc: (Via US Mail and Email)
Tiffany R. Spann-Wilder, Esquire, Spann Wilder Law, LLC
Blake A. Hewitt, Esquire, Bluestein Nichols Thompson Delgado, LLC
John S. Nichols, Esquire, Bluestein Nichols Thompson Delgado, LLC

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PRIORITY MAIL

07/23/2015

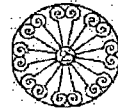
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