

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal From York County  
Court of Common Pleas  
John C. Hayes, III, Circuit Court Judge

**RECEIVED**

Trial Court Case No. 2009-CP-46-03360  
Appellate Case No. 2012-212016 OCT 14 2015

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**S.C. SUPREME COURT**

Robert K. Marshall, Jr., and  
Donna Chapman Marshall,  
doing business as "Rock Hill Property  
Management," a South Carolina  
general partnership, . . . . . Appellants,

v.

The City of Rock Hill, South Carolina,  
a municipal corporation, Carey F. Smith,  
in his capacity as City Manager, and  
Lori Thomas, in her capacity as  
Customer Services Manager . . . . . Respondents.

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**MOTION FOR EXTENSION OF TIME TO FILE RETURN**

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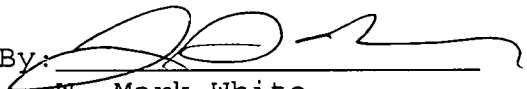
COMES NOW respondents City of Rock Hill, South Carolina,  
a municipal corporation, Carey F. Smith, in his capacity as  
City Manager, and Lori Thomas, in her capacity as Customer  
Services Manager (collectively, "Respondent") through their  
undersigned counsel and pursuant to Rules 240 and 263(b),  
SCACR, and respectfully request an extension of time to serve  
and file a Return to Appellants' Petition for Writ of  
Certiorari ("Return").

Appellants served their Petition for Writ of Certiorari ("Petition") on September 17, 2015. Pursuant to Rules 242 and 263, SCACR, Respondent's deadline to file a Return to the Petition is currently Monday, October 19, 2015.<sup>1</sup> The City respectfully requests a ten-day extension of time, or until Thursday, October 29, 2015, to file and serve a Return. Counsel for Respondent requests this extension on account of competing professional and personal obligations during the original response period and to allow sufficient time to prepare a response to the Petition, as Respondent may deem appropriate. This is Respondent's first request for an extension in this matter.

**WHEREFORE,** Respondent respectfully requests a ten-day extension of time in which to serve and file a Return to Appellant's Petition for Writ of Certiorari.

SPENCER & SPENCER, P.A.

Date: October 13<sup>th</sup>, 2015

By: 

W. Mark White  
SC Bar No. 7016  
Jeremy D. Melville  
SC Bar No. 77473  
226 E. Main Street  
Rock Hill, SC 29730  
Phone: (803)327-7191  
Fax: (803)327-3868

ATTORNEYS FOR RESPONDENTS

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<sup>1</sup> 30 days from service of the petition is Sunday, October 18, 2015.

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a municipal corporation, Carey F. Smith,  
in his capacity as City Manager, and  
Lori Thomas, in her capacity as  
Customer Services Manager . . . . . Respondents.

**PROOF OF SERVICE**

I certify that the foregoing Motion for Extension of Time  
been served by depositing a copy in the United States Mail,  
postage prepaid, on October 13, 2015, addressed to:

John Martin Foster  
223 East Main Street, Suite 520  
P.O. Box 106  
Rock Hill, SC 29731

SPENCER & SPENCER, P.A.

By:   
Jeremy D. Melville

**SPENCER & SPENCER**  
PROFESSIONAL ASSOCIATION

*Attorneys and Counselors at Law*

C.E. SPENCER (1849-1921)  
C.W.F. SPENCER (1876-1956)  
C.W.F. SPENCER, JR. (1911-1985)  
EMIL W. WALD (1934-2011)  
W.C. SPENCER †  
WILLIAM L. "RED" FERGUSON †  
PAUL W. DILLINGHAM  
W. MARK WHITE\*  
W. CHAPLIN SPENCER, JR.\*  
R. ALEXANDER SULLIVAN\*  
R. BRENT THOMPSON\*  
JEREMY D. MELVILLE\*

† Of Counsel  
\* Also admitted in NC

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OCT 14 2015

**S.C. SUPREME COURT**

October 13, 2015

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Via FedEx Overnight

The Honorable Daniel E. Shearouse  
Clerk of SC Supreme Court  
Attn: Linda Allen  
P.O. Box 11330  
Columbia, SC 29211-1330

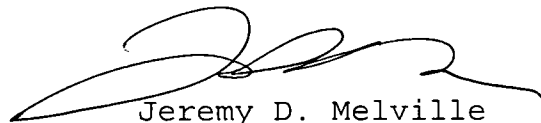
Re: Robert K. Marshall, Jr., et al. v. City of Rock Hill, et al.  
Appellate Case No. ~~2012-212016~~ 2015-001965

Dear Ms. Allen:

Enclosed please find the following documents in the matter referenced above: (1) an original and six copies of the Motion for Extension of Time to File Return; (2) a Proof of Service; and (3) a check in the amount of \$25.00 for the filing fee. Please contact me if you have any questions or concerns. Thank you for your assistance.

Sincerely,

SPENCER & SPENCER, P.A.



Jeremy D. Melville

cc: John Martin Foster, Esq.



# The Supreme Court of South Carolina

Spencer & Spencer

10/14/2015

## RECEIPT #77553

**Case No:** 2015-001965  
**Case Short Title:** Robert K. Marshall Jr. v. City of Rock Hill  
**Event:** Motion - Extension of Time (1st)  
**Fee Type:** Motion Fee  
**Amount:** \$25.00  
**Payment Type:** Check  
**Reference No:** 36794  
**Check/Money Order Date:** 10/13/2015  
**Comments:**