

NEXSEN|PRUET

William W. Wilkins
Member
Admitted in SC

November 3, 2015

The Honorable Daniel E. Shearouse
The Supreme Court of South Carolina
1231 Gervais Street
PO Box 11330
Columbia, South Carolina 29211

RECEIVED

NOV 08 2015

Re: *Michael Cunningham, Respondent/Petitioner v.
Anderson County, Petitioner/Respondent*
Appellate Case No. 2013-000678

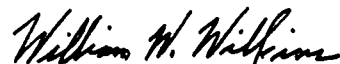
S.C. SUPREME COURT

Dear Mr. Shearouse:

I am responding to Mr. Nichols' letter of October 27, 2015, in which he asks you not to forward Anderson County's return to the members of the Court.

Rule 240(e), SCACR, provides that "a return to a petition or motion for rehearing under Rule 221 need not be filed unless requested by the court." Anderson County initially elected not to file a return to Mr. Cunningham's Petition for Rehearing. On October 12, 2015, I received a call from the Clerk of Court's office. Staff member Linda Allen informed me that the Court was requesting that Anderson County file a return to the petition for rehearing within 10 days. Pursuant to that request, Anderson County timely filed its return on October 22, 2015.

Respectfully,


William W. Wilkins
WWW/vgp

Enclosure

cc: Counsel of Record

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach
Raleigh

55 East Camperdown Way
Suite 400 (29601)
PO BOX 10648
Greenville, SC 29603-0648
www.nexsenpruet.com

T 864.282.1199
F 864.477.2699
E BWilkins@nexsenpruet.com
Nexsen Pruet, LLC
Attorneys and Counselors at Law



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC
ATTORNEYS AT LAW

FILED
OCT 28 2015
Nexsen Pruet

October 27, 2015

VIA HAND DELIVERY

Honorable Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RE: Michael Cunningham v. Anderson County
Case Tracking No: 2013-000678

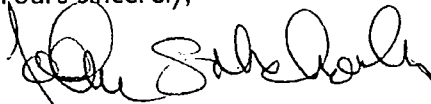
Dear Mr. Shearouse:

I received Anderson County's Return to Mr. Cunningham's Petition for Rehearing in yesterday's mail. This Return is not timely — I filed the Petition for Rehearing on September 17, 2015, and Rule 240(e) provided a 10-day deadline for Anderson County to respond. The filing is nearly a month late, as the deadline was September 27 and it was not served until October 22 or received by me until October 26. The County also made no request that the Court accept the filing out of time, and gave no reason for this lengthy delay.

I request that you not forward this very late Return to the Court. If you intend to accept this Return and forward it to the Court, then pursuant to Rule 240(f), my Reply would be due today — October 27. However, due to previous commitments and a previously scheduled trip out of state, I cannot prepare a Reply until next week. I would, therefore, request a brief extension for an opportunity to file a Reply.

Thank you for your time.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John S. Nichols". The signature is fluid and cursive, with a large initial "J" and "N".

John S. Nichols
BLUESTEIN, NICHOLS, THOMPSON
& DELGADO, LLC

JSN:emb

cc: Brian P. Murphy, Esquire
William W. Wilkins, Esquire
Kirsten E. Small, Esquire