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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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DEC 02 2015

SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
William P. Keesley, Circuit Court Judge

Case No. 2012-CP-32-0342

Kay Paschal Wallace, Respondent-Appellant,

v.

Leon Lott, the Duly Elected Sheriff of
Richland County, South Carolina, Appellant-Respondent.

**APPELLANT-RESPONDENT'S MOTION FOR EXTENSION
TO FILE INITIAL APPELLANT'S BRIEF**

The Appellant-Respondent Leon Lott, respectfully moves this Court for an additional extension of time until December 22, 2015, by which to file and serve his Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellant-Respondent Lott's motion is based on the following grounds:

1. The Initial Appellant's Brief is currently due to be filed and served on December 4, 2015.

2. The undersigned counsel for the Appellant-Respondent Lott requires additional time to complete the preparation of the Initial Appellant's Brief and his Designation of Matter to be Included in the Record on Appeal because of delays resulting from a personal medical issue and a doctor's instructions to limit activity and rest for the next ten days.

3. Counsel for the Appellant-Respondent Lott consulted with Respondent-Appellant's counsel who has kindly consented to the requested extension by reply email (see attached).

WHEREFORE, the Appellant-Respondent Lott respectfully requests that he be allowed until December, 2015, by which to file and serve his Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal.

DAVIDSON & LINDEMANN, P.A.

BY: 

ANDREW F. LINDEMANN
ROBERT D. GARFIELD
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

*Counsel for Appellant-Respondent
Leon Lott*

Columbia, South Carolina
December 2, 2015

Andrew Lindemann

From: Jake Moore <jake@mttlaw.com>
Sent: Wednesday, December 02, 2015 3:35 PM
To: Andrew Lindemann
Cc: Diane Corley; John Bradley
Subject: Re: Paschal v. Lott

No problem

Sent from my iPhone

On Dec 2, 2015, at 2:39 PM, Andrew Lindemann <alindemann@dml-law.com> wrote:

Jake and John:

I hate having to ask another favor, but I need to ask for a little more time to get my brief done in this case. It is currently due Friday, and I plan to ask for an extension through December 22nd.

Unfortunately, I have been having some medical issues myself of late. As a result of an appointment yesterday, my doctor is requiring me to limit activity and rest for the next ten days. Will you consent to an extension through the 22nd. I want to get it done before the holidays. I will of course agree to any extensions you all will need.

I would like to get the motion filed today, if possible. So let me know as soon as you can. I appreciate the courtesy.

Andrew

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Kay Paschal Wallace, Respondent-Appellant,

v.

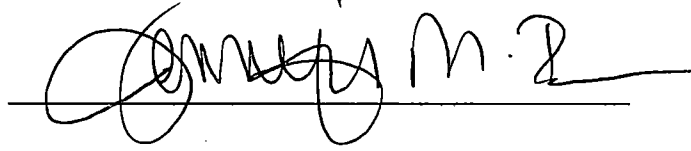
Leon Lott, the Duly Elected Sheriff of
Richland County, South Carolina, Appellant-Respondent.

CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellant-Respondent, Leon Lott, does hereby certify that service of **Appellant-Respondent's Motion for Extension to File Initial Appellant's Brief** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 2nd day of December 2015:

S. Jahue Moore, Esquire
Moore Taylor Law Firm, P.A.
Post Office Box 5709
West Columbia, South Carolina 29171

Patrick J. Frawley, Esquire
Davis Frawley, LLC
Post Office Box 489
Lexington, South Carolina 29071-0489

A handwritten signature in black ink, appearing to read "Patrick J. Frawley", is written over a horizontal line. The signature is stylized and cursive.

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

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December 2, 2015

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Daniel C. Plyler
Joel S. Hughes
SC Court of Appeals

Justin T. Bagwell
David A. DeMasters
Steven R. Spreeuwiers
Todd R. Flippin

Of Counsel
Kenneth P. Woodington

William H. Davidson, II
Andrew F. Lindemann*
James M. Davis, Jr.†
Robert D. Garfield
Michael B. Wren

*Also Admitted In North Carolina
†Certified Mediator

Writer's Email: alindemann@dml-law.com

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Kay Paschal Wallace v. Leon Lott, the Duly Elected Sheriff of Richland County,
South Carolina
Appellate Case Number: 2015-001153
Civil Action Number: 2012-CP-32-0342
Our File Number: 314.9502

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of **Appellant-Respondent's Motion for Extension to File Initial Appellant's Brief** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

cc: S. Jahue Moore, Esquire (w/ Enclosure)
Patrick J. Frawley, Esquire (w/ Enclosure)