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JAN 14 2016

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas**

Maite' Murphy, Circuit Court Judge

**Appellate Case No.: 2015-001718
Circuit Court Case No.: 2010-CP-38-0670**

Wanda Mack,Appellant,

v.

Carmen Gates, Respondent.

**APPELLANT'S AMENDED MOTION TO FILE INITIAL BRIEF
AND DESIGNATION OF MATTER OUT OF TIME**

Appellant, through the undersigned counsel, hereby moves to amend the prior Motion For Extension Of Time To File Initial Brief and Designation Of Matter to a Motion To File Initial Brief And Designation Of Matter Out Of Time. The Appellant filed her Initial Brief and Designation of Matter on January 4, 2015 along with a Motion For Extension Of Time To File Initial Brief and Designation Of Matter. At the time that Appellant filed the Initial Brief and Designation of Matter, the time for filing had expired. Accordingly, the motion should be amended to allow the Appellant to file out of time.

The basis for the within motion is premised upon the fact that counsel for the Appellant is currently involved in other matters currently pending before the Courts of this State, is

preparing for another matter which may be called for trial in January 2015, and needed additional time to complete the Initial Brief and Designation of Matter to be included in the Record on Appeal in the instant litigation. The Initial Brief and Designation of Matter have now been filed and the Respondent will not be prejudiced by granting the Appellant's motion.

Therefore, Appellant hereby moves before this Honorable court for an Order granting Appellant's Amended Motion To File Initial Brief And Designation Of Matter Out Of Time.

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ATTORNEYS FOR APPELLANT

Walterboro, South Carolina
January 12, 2016

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Wanda Mack, Appellant,

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PROOF OF SERVICE

The undersigned counsel hereby certifies that he has served the foregoing Amended Motion To File Initial Brief And Designation Of Matter Out Of Time upon all counsel of record by affixing same with proper postage and placing the same with the United States Postal Service on the 12th day of January, 2016 addressed to the following:

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Walterboro, South Carolina
January 12, 2016

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January 12, 2016

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SC Court of Appeals

VIA FACSIMILE & U.S. MAIL: (803) 734-1839

The Honorable Jenny Abbott Kitchings
Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Wanda Mack v. Carmen Gates
Civil Action No.: 2010-CP-38-00670
Appellate Case No: 2015-001718

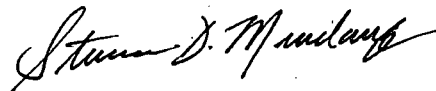
Dear Mrs. Kitchings:

Enclosed herewith is an original and one copy of the Appellant's Amended Motion to File Initial Brief and Designation of Matter Out of Time along with Proof of Service with regards to the above referenced matter. I would appreciate your filing the same and returning a clocked copy to me in the addressed, stamped envelope enclosed for your convenience.

By copy of this letter, I have forwarded a copy of same to counsel of record.

With kind regards, I am

Very Truly Yours,



Steven D. Murdaugh

SDM/tds

cc: James B. Lybrand, Jr. (w/enclosures)

Honorable Winnifa B. Clark, Clerk

Enclosures as stated

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