

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

FEB 04 2016

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas
Case No. 2014-CP-46-000239

JOHN C. HAYES, III, Circuit Court Judge

Appellate Case No. 2014-002340

City of Rock Hill,

Appellant,

v.

Brenda Stroupe,

Respondent.

MOTION TO PERMIT LATE FILING OF INITIAL REPLY BRIEF

The Appellant, City of Rock Hill, moves to permit late filing of the initial reply brief of the Appellant. In support of the motion Appellant would note the following.

1. Appellant requested an extension of time in a letter dated December 22, 2015, however, Appellant did not receive the reply letter from the Clerk of the South Carolina Court of Appeals in the mail. Appellant became aware of the response from the Clerk of the South Carolina Court of Appeals when he checked the status of the case online using C-Track.

2. Appellant's schedule was impacted by several factors.

a. Attorney for the Appellant was called to State Active Duty with the South Carolina Army National Guard from October 5-16, 2015 to assist with the disaster response to

the recent flooding at the State Emergency Operations Center in West Columbia, South Carolina. This negatively impacted on the undersigned's ability to keep abreast of his bench court, jury trial and administrative responsibilities, in addition to pending appellate court matters.

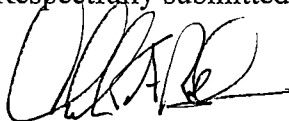
b. One of Appellant's two other staff attorneys has been impacted by a chronic health condition that has caused the undersigned to have to take on additional duties and matters from the impacted attorney.

c. The undersigned had an extensive trial schedule in both December 2015 and January 2016.

d. Most recently the undersigned was called to a year of active duty with the South Carolina Army National Guard that began on January 19, 2016 and this also negatively impacted on the undersigned's schedule.

e. Lastly, counsel for the Respondent, Christopher A. Wellborn had indicated that he does not object to this request to permit late filing.

Respectfully submitted,



CHRISTOPHER E. A. BARTON
Senior City Solicitor
S.C. Bar No. 65261

201 E. Main Street, 3rd Floor
Rock Hill, SC 29730
(803) 329-5619

ATTORNEY FOR APPELLANT

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
FEB 04 2016
SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas
Case No. 2014-CP-46-000239

JOHN C. HAYES, III, Circuit Court Judge

Appellate Case No. 2014-002340

City of Rock Hill,

Appellant,

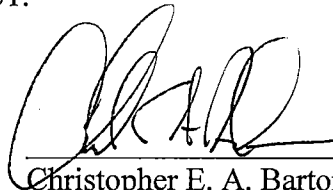
v.

Brenda Stroupe,

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Motion to Permit Late Filing of the Initial Reply Brief was served upon opposing counsel by sending a copy of regular U.S. Mail on the 15th day of February, 2016 to Christopher A. Wellborn, Attorney for Respondent, Post Office Box 10191 Rock Hill, South Carolina 29731.



Christopher E. A. Barton
201 E Main Street, 3rd Floor
Rock Hill, South Carolina 29730
(803) 329-5692
Attorney for Appellant



ROCK HILL
SOUTH CAROLINA

RECEIVED

FEB 04 2016

SC Court of Appeals

February 1, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: City of Rock Hill, Appellant v. Brenda Stroupe, Respondent
Appellate Case No. 2014-002340

Dear Ms. Kitchings:

Enclosed please find the original and three (3) copies of our Motion to Permit Late Filing of Initial Reply Brief and Certificate of Service in the above-referenced case.

Truly yours,

Christopher E. A. Barton
201 E. Main Street, 3rd Floor
Rock Hill, South Carolina 29730
(803) 329-5692
Attorney for Appellant

cc: Christopher A. Wellborn, Esquire
Post Office Box 10191
Rock Hill, South Carolina 29731
(803) 366-1065
Attorney for Respondent

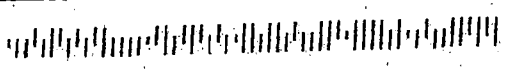


Recycled Paper

CITY OF ROCK HILL SOLICITOR'S OFFICE

201 E. MAIN STREET, 3RD FLOOR, ROCK HILL, SOUTH CAROLINA 29730
OFFICE 803/329-5619 FACSIMILE 803/326-3865

UNITED STATES POSTAGE



FIRST CLASS



UNITED STATES POSTAGE
PITNEY BOWES
02 1A \$ 01.42⁰
0004627168 FEB 02 2016
MAILED FROM ZIP CODE 29730



ROCK HILL
SOUTH CAROLINA

CITY OF ROCK HILL SOLICITOR'S OFFICE
201 E. MAIN STREET, 3RD FLOOR
ROCK HILL, SC 29730

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
FEB 04 2016
SC Court of Appeals



Recycled Paper