

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Circuit Court

Honorable Larry B. Hyman, Circuit Court Judge
Honorable Steven H. John, Circuit Court Judge

RECEIVED

Appellate Case No. 2015-001621

MAY 05 2016
SC Court of Appeals

Retha Pierce Sturdivant,..... Appellant,

-vs.-

City of Conway,.....Respondent.

RETURN TO MOTION OF APPELLANT

O. Terry Beverly
SC Bar No. 00691
1202 Third Avenue
Conway, South Carolina 29526
Phone: (843) 248-7576
Attorney for Respondent

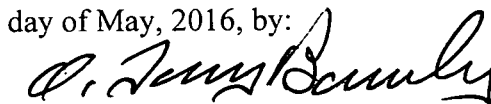
RETURN TO MOTION OF APPELLANT

The Respondent, City of Conway, by and through its attorney, O. Terry Beverly, by way of Return to Motion of Appellant, objects to the granting of Appellant's motion in the following particulars:

1. By Order filed April 1, 2016, Appellant's "Counter-Motion" was granted to the extent Appellate seeks to amend her initial brief. The Order specifically sets forth that should Appellant wish to amend her initial brief, she must serve and file any amended initial brief within 30 days of the date of April 1, 2016. This day has since passed and Appellant filed a motion on April 30, 2016 for an extension of time to amend her initial brief, in lieu of the amended initial brief. Appellant's failure to comply with the Order filed April 1, 2016 should be deemed a waiver of her right to amend her initial brief.
2. Appellant's continued motions for extensions are frivolous and taken solely for the purposes of delay. Pursuant to Rule 269, SCACR the Appellant should be sanctioned and the Appellant's motion should be denied.
3. Based upon Appellant's continued failure to comply with Rule 267, SCACR, the motion should be dismissed.

WHEREFORE, for the reasons set forth above, Respondent, City of Conway, moves for the denial of Appellant's motion.

RESPECTFULLY submitted this 4th day of May, 2016, by:



O. Terry Beverly
SC Bar No. 00691
1202 Third Avenue
Conway, SC 29526
Phone: (843) 248-7576
Facsimile: (843) 248-8829
Attorney for Respondent

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PROOF OF SERVICE

I certify that I have served Respondent's **Return to Appellant's Motion to Extend Amended Brief for Ten Days**, by depositing a copy of it with the United States Post Office, via Certified Mail Receipt 7015 1520 0000 8028 8456 and Regular Mail, postage prepaid, on May 4, 2016, addressed to Appellant, **Retha Pierce Sturdivant, 412 32nd Avenue South, Atlantic Beach, South Carolina 29582-4716.**

May 4, 2016



O. Terry Beverly
SC Bar No. 00691
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Phone: (843) 248-7576
Facsimile: (843) 248-8829
Attorney for Respondent

O. Terry Beverly

Attorney at Law

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1202 Third Avenue
Conway, South Carolina 29526

Certified Family Court Mediator
E-mail: terryb@sccoast.net

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May 4, 2016

MAY 05 2016

SC Court of Appeals

Honorable V. Claire Allen, Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

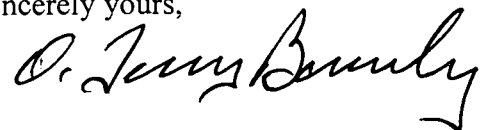
Re: *Retha Pierce Sturdivant v. City of Conway*
Appellate Case No.: 2015-001621

Dear Ms. Allen:

Enclosed for filing please find one (1) original and six (6) copies of Respondent's **RETURN TO MOTION OF APPELLANT** and **PROOF OF SERVICE** of the same. Upon filing, I respectfully request that you please return a clocked copy to me in the enclosed self-addressed and stamped envelope. By copy of this letter with stated enclosures, via U.S. Certified Mail and Regular Mail, I have served a copy of the Return upon Appellant, Retha Pierce Sturdivant.

Thank you for your assistance with this matter.

Sincerely yours,



O. Terry Beverly

OTB/ejs
Enclosures

cc: Retha Sturdivant
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716



O. Terry Beverly

Attorney at Law

1202 Third Avenue

Conway, South Carolina 29526-5106

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