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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM AIKEN COUNTY
COURT OF COMMON PLEAS
THE HONORABLE DOYET A. EARLY, III

RECEIVED
JUN 09 2016
SC Court of Appeals

Case No. 2016-000106

Harold Raynor a/k/a Harold
Reynor and Michael Caldwell

Respondents,

v.

Charles C. Byers, John T. Bakhaus,
Kurt Kasler and Kenneth Smith,

Appellants,

of whom

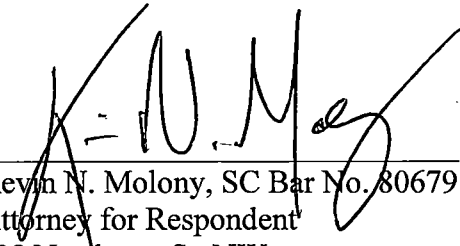
Charles C. Byers, John T. Bakhaus, and Kenneth Smith are the Appellants.

**MOTION TO ACCEPT LATE FILING
OF RESPONDENT BRIEF AN DESIGNATION
OF MATTER TO BE INCLUDED ON APPEAL**

COMES NOW Respondents, Harold Raynor a/k/a Harold Reynor and Michael Caldwell, and moves this Court to accept his past-due Brief and Designation of Matter to be included on appeal, and in support of his Motion respectfully shows the following:

Counsel for Respondents recently relocated offices in Aiken, SC. During the process, Counsel either failed to receive or mistakenly misplaced the Appellants' properly served Initial Brief and Designation for filing. Upon the realization of this error, Counsel immediately contacted the Court and submitted all necessary paperwork the following day. The delay in filing was in no way intentional and does not burden Appellants.

WHEREFORE, Respondents move for this Court to accept the late filing of his Brief and Designation of Matter to be included on appeal.



Kevin N. Molony, SC Bar No. 80679
Attorney for Respondent
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June 7, 2016

Other Counsel of Record:
Robert J. Harte, Esq.
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Attorney for Petitioners

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v.

Charles C. Byers, John T. Bakhaus,
Kurt Kasler and Kenneth Smith,

Appellants,

of whom


Charles C. Byers, John T. Bakhaus, and Kenneth Smith are the Appellants,

CERTIFICATE OF SERVICE

I certify that on this date I served a copy of the **Respondents Motion to Accept Late Filing, Brief, and Designation of Matter to be included in the Record on Appeal** to the Appellants attorney by depositing it in the U.S. Mail with sufficient postage affixed, addressed as follows:

Herb Hamilton, Esq.
130 East Main Street
Rock Hill, SC 29730

8 June 2016
Date


Signature

RECEIVED

JUN 09 2016

SC Court of Appeals



MOLONY LAW, LLC

208 Newberry Street, NW
Aiken, SC 29801

Kevin N. Molony, Attorney at Law

Phone: 803.648.0706

Fax: 803.262.5420

June 8, 2016

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia SC 29211

Re: *Harold Raynor, et al vs. Charles C. Byers, et al*
C. A. No.: 2009-CP-02-00706

Dear Ms. Kitchings:

Enclosed for filing, please find a Motion to Accept Late Filing in connection with the above case of behalf of the Respondents. Also Enclosed are the following:

1. Six copies of Motion to Accept Late Filing
2. Certificates of Service
3. Brief of Respondents and Designation of Matter to be included in the Record on Appeal
4. Attorney's Fees and Costs Affidavit, 11/4/2015
5. Affidavit of Paul Simmons, Jr., Esq.
6. Copies to be returned to Respondents
7. \$25 filing fee for Motion to Accept Late Filing

Thank you for your cooperation in this matter.

Sincerely,

April Bracco
Assistant to Kevin N. Molony

/aab
Enclosures

cc: Spencer Andrew Syrett
Herb Hamilton, Esq.

ORIGIN ID: AIKA (803) 648-0706
KEVIN MOLONY
MOLONY LAW, LLC
208 NEWBERRY ST., NW

AIKEN, SC 29801
UNITED STATES US

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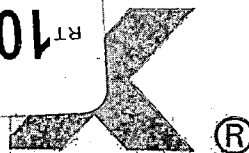
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TO ATTN: JESSICA
SC COURT OF APPEALS
1220 SENATE STREET

JUN 09 2011

COLUMBIA SC 29201

(803) 734-1890

REF:

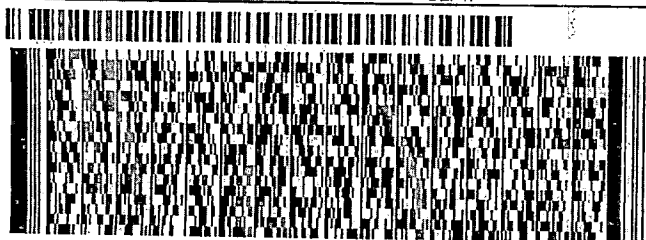
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