

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM Horry COUNTY
Court of Common Pleas
Steven H. John, Circuit Court Judge

Op. No. 2016-UP-052
(S.C. Ct.App. Filed February 3, 2016)

RECEIVED

JUL 12 2016

S.C. SUPREME COURT

Randall M. Green and Ann Green,.....Respondents-Petitioners,

v.

Wayne B. Bauerle, M.D. and
Wayne B. Bauerle, M.D., P.C.,.....Petitioners-Respondents.

**RESPONDENTS'-PETITIONERS' MOTION
TO ACCEPT FILING OUT OF REPLY OUT OF TIME**

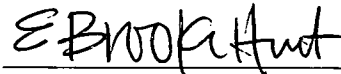
The Respondents-Petitioners, Randall M. Green and Ann Green (hereinafter collectively "the Greens"), respectfully move this Court to accept the Reply to Petitioners'-Respondents' Return to Petition for Writ of Certiorari out of time.

The undersigned counsel for the Greens received Petitioners'-Respondents' Reply to the Greens' Petition for Writ of Certiorari on June 21, 2016, which is the same day that it was received by the South Carolina Supreme Court. Counsel was under the impression the Greens had ten (10) days from the date that the Return was *received* to file the Reply, pursuant to Rule 242(g), SCACR. By counsel's calculation, the Greens' Reply was due on July 1, 2016. Upon learning that the ten (10) ran from the date that Petitioners-Respondents *mailed* the Return, Respondents-Petitioners filed this Motion.

Had Counsel realized, the Reply was due June 27, 2016; Counsel would have timely requested an extension as Counsel was in trial and out of the office the week of June 20, 2016.

WHEREFORE, Respondents-Petitioners respectfully request that this Honorable Court accept the filing of Respondents-Petitioners Reply out of time.

Respectfully Submitted,



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Charleston, South Carolina
July 8, 2016

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Steven H. John, Circuit Court Judge

Unpublished Opinion No. 2016-UP-052
(S.C. Ct. App. filed Feb. 3, 2016)

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Randall M. Green and Ann Green,.....Respondents-Petitioners,

v.

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CERTIFICATE OF MAILING

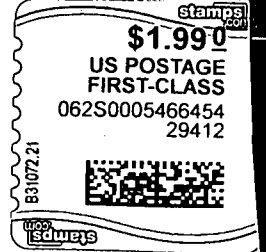
I certify that I have served the **Respondents-Petitioners' Motion to Accept Filing of Reply to Petition for Writ of Certiorari out of Time** on Petitioners-Respondents, Wayne B. Bauerle, M.D. and Wayne B. Bauerle, M.D., P.C., by depositing a copy of it in the United States Mail, first class postage prepaid, addressed to his counsel of record, Andrew F. Lindemann and Jack McCutcheon, at the addresses below:

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