

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

Appellate Case No. 2015-001621

RECEIVED

OCT 20 2016

SC Court of Appeals

Retha Pierce Sturdivant,..... Appellant,

-vs.-

City of Conway,.....Respondent.

**MOTION TO ALLOW DESIGNATION OF MATTER TO BE INCLUDED IN
THE RECORD ON APPEAL TO BE FILED OUT OF TIME**

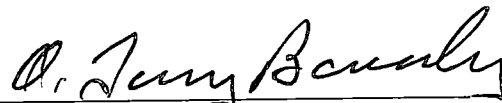
**MOTION TO ALLOW DESIGNATION OF MATTER TO BE INCLUDED IN
RECORD ON APPEAL TO BE FILED OUT OF TIME**

The Respondent, City of Conway, by and through its attorney, O. Terry Beverly, by way of Motion to Allow Designation of Matter to be Included in Record on Appeal to be filed out of time, alleges the following particulars:

1. The Appellant failed to designate the Return of the Municipal Court and the Order of the Honorable Steven H. John filed on June 26, 2015, in her Designation of Matters to be Included on Appeal. It is necessary that the Record on Appeal contain these matters to allow a proper review.

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

RESPECTFULLY submitted this 19th day of October, 2016, by:



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

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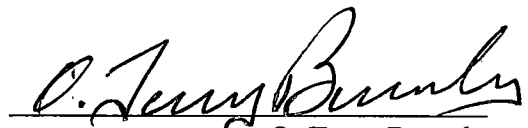
-vs.-

City of Conway,..... Respondent.

PROOF OF SERVICE

I, O. Terry Beverly, counsel for Respondent, certify that I have served the within ***Respondent's Motion to Allow Designation of Matter to be Included in the Record on Appeal to be Filed Out of Time***, via U.S. regular mail to Appellant, by depositing a copy of it with the United States Post Office, postage prepaid, on October 19, 2016, addressed to Appellant, **Retha Pierce Sturdivant, 412 32nd Avenue South, Atlantic Beach, South Carolina 29582-4716.**

October 19, 2016



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

O. Terry Beverly
Attorney at Law

Telephone (843) 248-7576
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1202 Third Avenue
Conway, South Carolina 29526

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

October 19, 2016

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

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SC Court of Appeals

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

Dear Ms. Allen:

After my phone conversation with Ms. Carter yesterday, I realized that it was in fact necessary to have additional matters included in the record on appeal. Therefore, I have enclosed for filing one (1) original and six (6) copies of **RESPONDENT'S MOTION TO ALLOW DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL TO BE FILED OUT OF TIME and PROOF OF SERVICE** of the same. I have also enclosed the \$25.00 fee for the filing of the Motion. 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. mail, I have served a copy of the Motion upon Appellant, Retha Pierce Sturdivant.

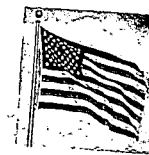
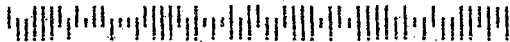
Thank you for your assistance with this matter.

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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