

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM RICHLAND COUNTY
DeAndrea Gist Benjamin, Circuit Court Judge

S.C. SUPREME COURT

Opinion No. 2016-UP-261
(S.C. Ct App. filed June 8, 2016)

Samuel T. Brick, Petitioner,

v.

Richland County Planning Commission and
Fairways Development, LLC, Intervenor, Respondents.

**MOTION TO ACCEPT
FILING OUT OF TIME**

The Respondent Richland County Planning Commission, respectfully moves this Court to accept the Return to Petitioner's Petition for Writ of Certiorari for filing one day out of time.


The Respondent Richland County Planning Commission's motion is based on the following grounds:

1. The Respondent Richland County Planning Commission's Return to Petitioner's Petition for Writ of Certiorari was due to be filed by October 17, 2016.

2. The undersigned counsel for the Respondent Richland County Planning Commission was unable to complete the preparation of the Return to Petitioner's Petition for Writ of Certiorari by October 17, 2016 because of other deadlines and obligations, specifically an Initial Brief that was due in the Court of Appeals and two other Returns to Petition for Writ of Certiorari filed in two other cases on that same date.

WHEREFORE, the Respondent Richland County Planning Commission respectfully requests that the Court accept the filing of its Return to Petitioners' Petition for Writ of Certiorari one day out of time.

DAVIDSON & LINDEMANN, P.A.

BY: 

ANDREW F. LINDEMANN
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

*Counsel for Respondent Richland County
Planning Commission*

Columbia, South Carolina

October 18, 2016

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CERTIFICATE OF SERVICE

S.C. SUPREME COURT

The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondent, Richland County Planning Commission, does hereby certify that service of the **Motion to Accept Filing Out of Time** was made upon the *pro se* Petitioner and all other counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope this the 18th day of October 2016:

Mr. Samuel T. Brick
124 Runneymede Drive
Blythewood, South Carolina 29016

Tobias G. Ward, Jr., Esquire
J. Derrick Jackson, Esquire
Tobias G. Ward, Jr., P.A.
Post Office Box 6138
Columbia, South Carolina 29260