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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

OCT 24 2016

SC Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2016-000335

Tiffany M. Martin, .....Appellant,

v.

Glenda Simmons, .....Respondent.

**MOTION TO SERVE AND FILE  
FINAL BRIEF OF APPELLANT  
OUT OF TIME**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Final Brief of Respondent has not been timely served and filed in this case. Based on an oversight, the due date for the Final Brief was never calendared. As a result, the undersigned failed to have the Final Brief served and filed once the Record on Appeal was completed.

II.

Appellant requests this Court allow the service of the Final Brief of Respondent out of time. This request is not intended for purposes of delay. The Final Brief of Respondent is being served and filed today concomitant with this motion to allow service

out of time. Respondent asks this Court to accept the Final Brief of Respondent and allow the appeal to proceed.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, allow the service and filing of the Final Brief of Respondent out of time; accept the Final Brief of Respondent as properly served and filed; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,



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J.R. Murphy, Esquire  
Wesley B. Sawyer, Esquire  
MURPHY & GRANTLAND, P.A.  
4406-B Forest Drive  
Post Office Box 6648  
Columbia, South Carolina 29260  
(803) 782-4100  
Attorneys for Respondent

Columbia, South Carolina  
October 24, 2016

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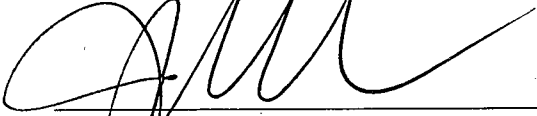
Glenda Simmons, ..... Respondent.

**PROOF OF SERVICE**

I certify that I have served the Respondent's Motion to Serve and File Final Brief of Appellant Out of Time on Ralph J. Wilson, Attorney for Appellant, by depositing a copy of it in the United States Mail, postage prepaid, on October 24, 2016, addressed to

Ralph J. Wilson, Esquire  
Wilson & Wilson Law Group, PA  
1300 2nd Avenue, Suite 212 (29526)  
P.O. Box 2461  
Conway, SC 29528

MURPHY & GRANTLAND, P.A.



J.R. Murphy, Esquire  
Wesley B. Sawyer, Esquire  
P.O. Box 6648  
Columbia, South Carolina 29260  
(803) 782-4100  
*Attorneys for Respondent*

Columbia, South Carolina

October 24, 2016

**HAND DELIVERED**

The Honorable Jenny A. Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
P.O. Box 11629  
Columbia, SC 29211

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SC Court of Appeals

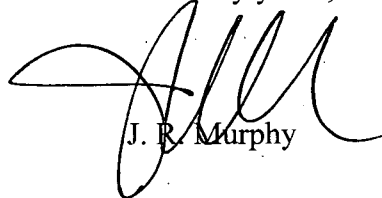
Re: Tiffany M. Martin v. Glenda Simmons  
Appellate Case No.: 2016-000335  
Claim No.: 3003870674-1 BW  
Date of Loss: 08-24-12  
Our File No.: 1315-0159

Dear Ms. Kitchings:

Enclosed please find herewith for filing with the Court the original and eight (8) copies of Respondent's Motion to Serve and File Final Brief of Appellant Out of Time in the above-referenced matter. I would appreciate your filing the original and returning the clocked copies to me by individual delivering same. By copy of this letter I am serving same on opposing counsel.

With warm personal regards, I am

Sincerely yours,

  
J. R. Murphy

JRM/sb  
Enclosures

cc: David Bearden  
Ralph J. Wilson, Esquire