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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Robin B. Stillwell, Circuit Court Judge

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NOV 28 2016

SC Court of Appeals

Case No. 2013-CP-23-6522

Madel C. Rivero, as Personal Representative for the
Estate of Lilia Lorena Blandin, Respondent,

v.

Sheriff Steve Loftis, in his capacity as
Sheriff of Greenville County, Appellant.

**MOTION TO ACCEPT
FILING OUT OF TIME**

The Appellant Sheriff Steve Loftis, respectfully moves this Court to accept the Initial Brief of Appellant and Appellant's Desingation of Matter to be Included in the Record on Appeal for filing out of time.


The Appellant Sheriff Steve Loftis' motion is based on the following grounds:

1. The Appellant Sheriff Steve Loftis' Initial Brief of Appellant and Appellant's Desingation of Matter to be Included in the Record on Appeal were due to be filed by November 22, 2016.

2. The undersigned counsel for the Appellant Sheriff Steve Loftis was unable to complete the preparation of the Initial Brief of Appellant and Appellant's Desingation of Matter to be Included in the Record on Appeal by November 22, 2016, because of illness. Following lengthy meetings with an expert witness and clients, the undersigned a migraine headache that prevented him from working into the evening to complete the drafting of the Initial Brief. Because of that illness, an additional day is requested to complete the briefing, and the Court is respectfully requested to accept the brief out of time. The undersigned has a long and pleasant history of working with Respondent's appellate counsel who it is anticipated will have no objection.

WHEREFORE, the Appellant Sheriff Steve Loftis respectfully requests that the Court accept the filing of his Initial Brief of Appellant and Appellant's Desingation of Matter to be Included in the Record on Appeal 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 Appellant

November 23, 2016

CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellant, does hereby certify that service of the **Motion to Accept Filing Out of Time** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 23rd day of November 2016:

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November 23, 2016

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Kenneth P. Woodington

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The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Madel C. Rivero, as Personal Representative for the Estate of Lilia Lorena Blandin v.
Sheriff Steve Loftis, in his capacity as Sheriff of Greenville County
Appellate Case Number: 2016-000548
Civil Action Number: 2013-CP-23-6522
Claim Number: 03841
Our File Number: 104.9842

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SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of the **Motion to Accept Filing Out of Time** in the above referenced matter. Please file the original and return a clocked-in copy to me in the enclosed envelope. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

The Honorable Jenny Abbott Kitchings
November 23, 2016
Page Two

cc: (w/ Enclosure)

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