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THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

RECEIVED

JAN 06 2017

SC Court of Appeals

Case No.: 2016-001647

Terrence J. McLeod, Plaintiff, Appellant,

v.

Jarius Orel English-McMillan, Roland Shelley, Roland G. Shelley, II,
Scott C. Shelley and Coastal Carolina University, Defendants,

Of Whom Coastal Carolina University is the Respondent.

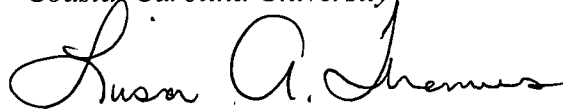
RESPONDENT'S MOTION TO
RESPOND OUTSIDE OF TIME

COMES NOW counsel for the Respondent Coastal Carolina University making a motion under South Carolina Appellate Court 263(b) to extend the time upon which to file Respondent's initial brief upon the following grounds: Upon receipt of the attached letter from the Clerk's office dated November 9, 2016, Respondent's counsel and office mistakenly believed that the initial brief and designation had not been accepted and therefore did not appropriately calendar the time for response. Upon receipt of the Court of Appeals letter dated December 20, 2016 and received on

December 27, 2016, the Respondent was made aware of their mistake and comes now this Respondent asking for the Court's permission to file the attached Brief out of time pursuant to the discretion permitted under South Carolina Appellate Rule 263(b).

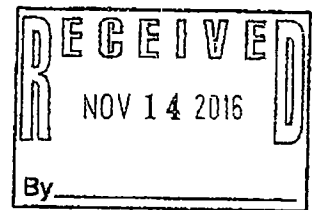
Respectfully submitted.

Lisa A. Thomas, SC Bar #66458
Attorneys for the Respondent
Coastal Carolina University



THOMPSON & HENRY, P.A.
1300 Second Avenue, Third Floor (29526)
P. O. Box 1740
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(843) 248-5741 - voice
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lthomas@thompsonlaw.com

January 4, 2017
Conway, South Carolina



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
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November 09, 2016

Mr. John Derrick Clark, Esquire
PO Drawer 880
Sumter SC 29151

Re: Terrance McLeod v. Jarius English-McMillan
Appellate Case No. 2016-001647

Dear Counsel:

The Court has received your appellant's initial brief and designation of matter. Please be advised that we are returning your designated material as it is not necessary to file these documents at this time. Please see Rule 209 and 210 of the South Carolina Appellate Court Rules for further assistance.

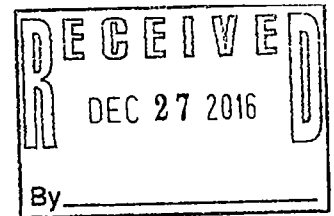
Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Jimmy Carlton Powell, Jr., Esquire
Lisa Arlene Thomas, Esquire

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SC Court of Appeals



The South Carolina Court of Appeals

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December 20, 2016

Mr. John Derrick Clark, Esquire
PO Drawer 880
Sumter SC 29151

Re: Terrance McLeod v. Jarius English-McMillan
Appellate Case No. 2016-001647

RECEIVED
JAN 06 2017
SC Court of Appeals

Dear Counsel:

Please be advised our records indicate that the respondent has not served and filed an initial brief and designation of matter. Therefore, you should proceed to serve and file your final brief and file the record on appeal, as provided in Rules 210(b) and 211(a) of the South Carolina Appellate Court Rules, within twenty (20) days of the date of this letter.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Jimmy Carlton Powell, Jr., Esquire
Lisa Arlene Thomas, Esquire

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APPEAL FROM HORRY COUNTY
Court of Common Pleas

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Case No.: 2016-001647

Terrence J. McLeod, Plaintiff, Appellant,

v.

Jarius Orel English-McMillan, Roland Shelley, Roland G. Shelley, II,
Scott C. Shelley and Coastal Carolina University, Defendants,

Of Whom Coastal Carolina University is the Respondent.

CERTIFICATE OF SERVICE

I certify that I served Respondent's Motion to Respond Outside of Time and Initial Brief and Designation of Documents for Record on Appeal by depositing a copy of it in the U.S. Mail, postage prepaid, on January 4, 2017 addressed to Appellant's Attorney of Record John D. Clark, Esquire, at P.O. Drawer 880, Sumter, South Carolina, 29151-0880 and to Defendants Roland Shelley, Roland G. Shelley, II, and Scott C. Shelley's Attorney of Record Jimmy C. Powell, Jr., Esquire, at P.O. Box 2116, Myrtle Beach, South Carolina, 29578.

Lisa A. Thomas, SC Bar #66458

Attorneys for the Respondent Coastal Carolina University



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LISA A. THOMAS
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January 4, 2017

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

RE: Terrance J. McLeod v. Jarius Orel English-McMillan, et al
Appellate Case No.: 2016-001647
T&H No.: 54601.62

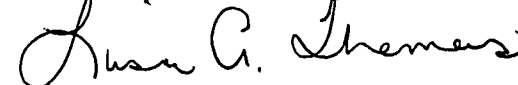
Dear Ms. Kitchings:

I am enclosing the original and six (6) copies of Respondent Coastal Carolina University's Motion to File Out-of-Time, Initial Brief of the Respondent and Designation of Documents for Inclusion in Record on Appeal in connection with the above-captioned matter along with proper filing fee and proof of service on opposing counsel. Upon your filing, please return a clocked copy to me in the self-addressed, stamped envelope provided for your convenience.

Thank you in advance for your assistance in this regard.

Very truly yours,

THOMPSON & HENRY, PA



Lisa A. Thomas

LAT/lwj

Enclosures

cc: John D. Clark, Esquire
Jimmy C. Powell, Jr., Esquire

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JAN 06 2017

SC Court of Appeals



FIRST CLASS MAIL



| | |
|-----------------------------------|---|
| THOMPSON & HENRY, P.A. | |
| POST OFFICE BOX 1740 | |
| CONWAY, SC 29528 | |
| TO: | The Honorable Jenny Abbott Kitchings Clerk, South Carolina Court of Appeals Post Office Box 11629 Columbia, SC 29211 |

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SC Court of Appeals