

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2016-CP-40-3102

RECEIVED

FEB 22 2017

SC Court of Appeals

Richland County, South Carolina Appellant/Respondent,

Central Midlands Regional Transit Authority, Intervenor/Respondent,

v.

The South Carolina Department of Revenue,
Rick Reames, III, in his official capacity as its Director, Respondents/Appellants,

v.

Richland PDT, a joint venture consisting of
M.B. Kahn Construction Co. Inc., ICA Engineering,
Inc., and Brownstone Construction Group, LLC, as a
unit and Individually Third-Party Defendants.

**MOTION FOR THE COURT TO ACCEPT THE
RESPONDENTS/APPELLANTS INITIAL BRIEF OUT OF TIME**


Pursuant to Rules 240 and 263(b), SCACR, Respondents/Appellants hereby
move this Court to accept for filing out of time the respondents/appellants' initial brief
of appellant and the designation of matter to be included in the record on appeal. The
initial brief of respondents/appellants was due to be filed on February 21, 2017.

The respondents/appellants' initial brief of appellant and the designation of
matter to be included in the record on appeal are conditionally filed with this motion and

served on all other parties.

February 22, 2017

Respectfully submitted, 1



John S. Nichols, SC Bar No. 004210
Bluestein, Nichols,
Thompson & Delgado, LLC
Post Office Box 7965
Columbia, South Carolina 29202
(803) 779-7599

James E. Smith, Jr., SC Bar No. 8733
Dylan W. Goff, SC Bar No. 78416
James E Smith Jr PA
1422 Laurel Street
Columbia, SC 29201
(803) 933-9800

Milton G. Kimpson, SC Bar No. 7917
Dana R. Krajack, SC Bar No. 3608
Nicole M. Wooten, SC Bar No. 73594
Lauren Acquaviva, SC Bar No. 100528
S.C. Department of Revenue
PO Box 12265
Columbia, SC 29211
(803) 898-5131

Attorneys for Respondents-Appellants

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PROOF OF SERVICE

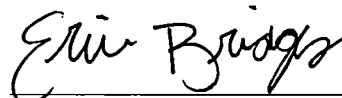
The undersigned hereby certifies that on the date indicated below she served
counsel with a copy of the *Motion for the Court to Accept the Initial Brief of Appellant of
Respondents-Appellants Out of Time* and the conditionally filed *Initial Brief of Appellant
of Respondents-Appellants and Designation of Matter to be Included in the Record on
Appeal* by mailing copies of the same by United States Mail with first class postage
prepaid to the following addresses:

Andrew F. Lindemann
Davidson & Lindemann, PA
PO Box 8568
Columbia, SC 29202-8568

Benjamin E. Nicholson, V
M. Elizabeth Crum
McNair Law Firm, PA
PO Box 11390
Columbia, SC 29211

Ray N. Stevens
Ray E. Jones
Parker Poe Adams & Bernstein, LLP
PO Box 1509
Columbia, SC 29202-1509

Robert E. Tyson, Jr.
Elizabeth Van Doren Gray
Alexis K. Lindsay
Sowell Gray Stepp & Laffitte, LLC
P.O. Box 11449
Columbia, SC 29211



Erin Bridges

February 22, 2017



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC
ATTORNEYS AT LAW

February 22, 2017

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SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: Richland County v. SC Dept. of Revenue
Case Tracking No. 2016-001839

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a Motion for the Court to Accept the Initial Brief of Appellant of Respondents/Appellants and Designation of Matter to be Included in the Record on Appeal Out of Time. Also, please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Appellant of Respondents/Appellants and Designation of Matter to be Included in the Record on Appeal in regards to this matter. I have also enclosed a Proof of Service upon counsel for the Appellant/Respondent. Please return the additional filed copy to me via our courier.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges
Paralegal to John S. Nichols
BLUESTEIN, NICHOLS,
THOMPSON & DELGADO, LLC

/emb

Enclosures

cc: James E. Smith, Jr.

Milton G. Kimpson
Andrew F. Lindemann
Benjamin E. Nicholson, V
Ray N. Stevens
Robert E. Tyson, Jr.