

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
The Honorable Carmen T. Mullen
The Honorable Michael G. Nettles
C. Stephen Bennett, Special Referee ¹

RECEIVED

FEB 24 2017
SC Court of Appeals

Appellate Case No. 2016-001951

Ronis Acosta,
Respondent,

v.

Pura Life Fiesta Center; Zaida Altamirano; Daniel's Espresso, Inc.; Daniel's Restaurant
and Lounge; Gali Milstain; Aviv Ben Yair; Kfir Gispan; Nicole Naglieri²; Beach Market,
LLC; and Michael Larrow,
Defendants,

Of Whom Zaida Altamirano and Pura Life Fiesta Center are the
.....Appellants.

RESPONDENT'S MOTION TO FILE REPLY OUT OF TIME


Respondent Ronis Acosta ("Respondent") moves this Court to allow it to file the
Reply, submitted simultaneously with this Motion, out of time. Appellants' Zaida
Altamirano and Pura Life Fiesta Center ("Appellants") served the Return to
Respondent's Motion to Dismiss on February 14, 2017. Respondent received the
Return on [February 16, 2017]. Under Rule 240(e), SCACR, and due to the holiday on

¹ Respondent uses the caption presented by Appellant but maintains that it is improper to file a
single notice of appeal from three orders issued three different judges.

² Nicole Naglieri is no longer a defendant in this action because she was dismissed with
prejudice by stipulation on November 30, 2015.

February 20, 2017, the Reply was due to be served on February 21, 2017. Respondent requests the Court accept the filing of this Reply.

Respectfully submitted,



Patrick W. Carr, Esquire
SC Bar No. 15585; Fed. I.D. No. 07190
BERRY & CARR, P.C.
Attorneys at Law
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Hilton Head Island, SC 29926
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Attorney for Respondent

Dated: February 22, 2017

Hilton Head Island, South Carolina

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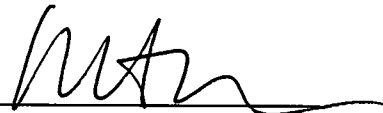
Pura Life Fiesta Center; Zaida Altamirano; Daniel's Espresso, Inc.; Daniel's Restaurant
and Lounge; Gali Milstain; Aviv Ben Yair; Kfir Gispan; Nicole Naglieri; Beach Market,
LLC; and Michael Larrow,
Defendants,

Of Whom Zaida Altamirano and Pura Life Fiesta Center are the
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PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing *Respondent's Reply to
Appellants' Return to Respondent's Motion to Dismiss and Motion to File Out of Time*
has been served upon the following counsel of record by mailing one copy by United
States Mail, addressed as shown below this 22 day of February, 2017.

Jose A. Fuentes
Jenkins, Esquivel & Fuentes, P.A.
Post Office Box 1969
Bluffton, SC 29910



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Attorney for Respondent

Dated: February 22, 2017

Hilton Head Island, South Carolina

DAVID H. BERRY
ATTORNEY AT LAW
ADMITTED IN SC, SD, GA, & OH

PATRICK W. CARR
ATTORNEY AT LAW
CERTIFIED CIRCUIT COURT MEDIATOR



LUCAS M. PAULICK
ATTORNEY AT LAW

February 22, 2017

Via U.S. Mail

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

Re: *Ronis Acosta v. Pura Life Fiesta Center, et al.*
Appellate Case No. 2016-001951

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter please find the original and seven copies of *Respondent's Reply to Appellants' Return to Respondent's Motion to Dismiss and Motion to File Return out of Time*. Also enclosed is a check for the \$25.00 motion filing fee. Please file the original and return one file-stamped copy to me in the enclosed self-addressed, stamped envelope. By copy of this letter, I am serving all counsel of-record with a copy of the same.

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,



Patrick W. Carr

cc: Jose A. Fuentes

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