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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

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CASE NO. 2010-CP-26-11570

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Tim Wilkes .....Appellant

vs.

Horry County .....Respondent

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**NOTICE OF MOTION AND MOTION TO EXTEND  
TIME TO FILE APPELLANT'S INITIAL BRIEF  
AND DESIGNATION OF MATTER**

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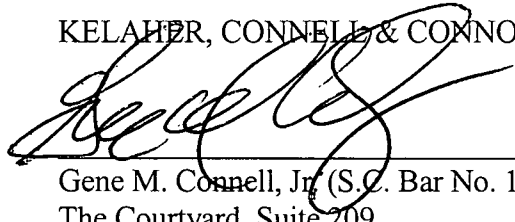
YOU WILL PLEASE TAKE NOTICE that the undersigned, as attorney for the Appellant, moves this Court for an Order extending the time to file Appellant's Initial Brief and Designation of Matter in the above-captioned case which are currently due on October 24, 2012. The basis of this Motion is that Appellant counsel's trial schedule has not allowed him adequate time to prepare the appropriate brief for filing with this Court.

WHEREFORE, Appellant requests this Court issue its Order allowing an additional thirty (30) days to file the Initial Brief and Designation of Matter in the above-captioned case, thus extending the time of filing on or before November 23, 2012.

Respectfully submitted,

**RECEIVED**  
OCT 25 2012  
SC Court of Appeals

KELAHER, CONNELL & CONNOR, P.A.



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Gene M. Connell, Jr. (S.C. Bar No. 1358)

The Courtyard, Suite 209

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Surfside Beach, South Carolina 29587-4547

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**Attorney for Appellant**

October 22, 2012

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Benjamin H. Culbertson, Circuit Court Judge

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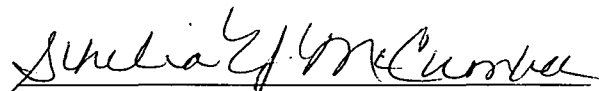
PROOF OF SERVICE

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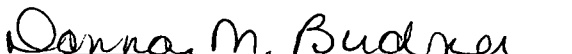
PERSONALLY appeared before me, Shelia Y. McCumbee, who being duly sworn, deposes and says that she is an employee of KELAHER, CONNELL & CONNOR, P.C., Attorneys at Law, and that she has served a **Notice of Motion and Motion to Extend Time to File Appellant's Initial Brief and Designation of Matter** on the Respondent, through its attorney of record, by depositing a copy of same in the United States Mail, postage prepaid, to:

Walker H. Willcox, Esq.  
Willcox Buyck & Williams, PA  
P.O. Box 1909  
Florence, SC 29503-1909

DATE OF MAILING: October 23, 2012

  
Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,  
this 23<sup>rd</sup> day of October, 2012

  
Notary Public for South Carolina  
My Commission Expires: 2/14/17

KELAHER, CONNELL & CONNOR, P.C.

ATTORNEYS AT LAW

SUITE 209

THE COURTYARD

1500 U.S. HIGHWAY 17 NORTH

P.O. DRAWER 14547

SURFSIDE BEACH, SOUTH CAROLINA 29587

EDWARD T. KELAHER\*  
GENE M. CONNELL, JR.  
L. SIDNEY CONNOR, IV  
LISA POE DAVIS

\* OF COUNSEL

AREA CODE 843

238-5648

FAX: 238-5050

October 22, 2012

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: *Tim Wilkes v. Horry County*  
Appellate Case No. 2012-212994  
C/A No. 2010-CP-26-11570  
Our File No. 2010-0251C

**RECEIVED**

OCT 25 2012

**SC Court of Appeals**

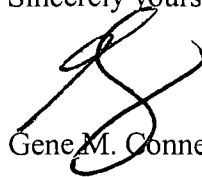
Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of our Notice of Motion and Motion to Extend Time to File Appellant's Initial Brief and Designation of Matter and Proof of Service in the above-captioned matter. I also enclose a check for \$25.00 for the filing fee. Please return a filed copy to me in the self-addressed, stamped envelope enclosed for your convenience.

By copy of this letter, we hereby serve a copy of the above-stated documents on counsel for Respondent.

With best regards, I am

Sincerely yours,



Gene M. Connell, Jr.

GMC,Jr.:sm  
Enclosures

cc w/enc.: Walker H. Willcox, Esq.