

STATE OF SOUTH CAROLINA
In the Court of Appeals

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APR 12 2017

SC Court of Appeals

Appeal from Richland County
Court of Common Pleas

The Honorable Doyet A. Early, III, Circuit Judge

Appellate Case No. 2016-001727

Adele J. Pope..... Appellant,

v.

Alan Wilson, in his capacity as Attorney General of South Carolina, and
James Brown Legacy Trust, by Russell Bauknight, its Trustee..... Respondents.

APPELLANT'S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL RECORD ON APPEAL

**TO: THE HONORABLE CHIEF JUDGE AND ASSOCIATE JUDGES OF THE SOUTH
CAROLINA SUPREME COURT; RESPONDENT ALAN WILSON, IN HIS
CAPACITY AS ATTORNEY GENERAL FOR SOUTH CAROLINA; AND
RESPONDENT JAMES BROWN LEGACY TRUST**

Appellant Adele J. Pope ("Appellant") hereby moves this Court for leave to
file a Supplemental Record on Appeal herein. The grounds of this motion are as
follows:

- 1) The Record on Appeal was filed herein on March 24, 2017.
- 2) In preparing the final Briefs herein, counsel for Appellant learned that certain
items were inadvertently omitted from the Record on Appeal. Appellant's
counsel was also notified by counsel for Respondent Attorney General that
certain additional items were omitted.

- 3) All but one of these items were designated by Appellant or Respondent and were inadvertently not included in the filed Record on Appeal.
- 4) In addition, one item cited by Respondent Attorney General was not designated for inclusion in the Record on Appeal.
- 5) The omitted documents are all cited by at least one party in one or more Briefs, and they are necessary to this Court's consideration of this matter.
- 6) The undersigned has contacted counsel for both Respondents, who indicated their consent to the filing of a supplemental Record on Appeal.

For the reasons set forth above, Appellant respectfully moves this Court to grant leave to Appellant to file a Supplemental Record on Appeal herein. This motion is based on the Appellate Court Rules, applicable statutory and case law, and the entire record herein.

Respectfully submitted,



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Counsel for Appellant

April 12, 2017

Other Counsel of Record:

The Honorable Alan Wilson
J. Emory Smith, Jr., Esquire
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Counsel for Respondent Attorney General

A Camden Lewis, Esquire
Keith M. Babcock, Esquire
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P. O. Box 11208
Columbia, South Carolina 29211
Counsel for Respondent James Brown Legacy Trust

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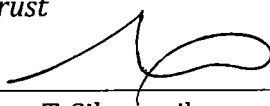
Alan Wilson, in his capacity as Attorney General of South Carolina, and
James Brown Legacy Trust, by Russell Bauknight, its Trustee..... Respondents.

PROOF OF SERVICE

I certify that I have served the Motion for Leave to File Supplemental Record on Appeal on all Respondents by mailing a copy of same on April 12, 2017, addressed to his attorney of record as follows:

J. Emory Smith, Jr., Esquire
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Counsel for Respondent Attorney General

A Camden Lewis, Esquire
Keith M. Babcock, Esquire
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Counsel for Respondent James Brown Legacy Trust



Adam T. Silvernail

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Law Office of
ADAM T. SILVERNAIL
LLC

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SC Court of Appeals

April 12, 2017

By Hand-delivery:

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

Re: *Pope vs. Wilson, et al*
Appellate Case No. 2016-001727

Dear Ms. Kitchings:

The Appellant's final brief and reply brief are currently due today. In the process of finalizing the briefs, we have discovered a few items which were inadvertently omitted, as well as one item cited by the Attorney General in his brief but not designated. I am thus filing herewith a motion for leave to file a supplemental record on appeal.

In light of the need to assemble the supplement, I ask that Appellant kindly be granted a two (2) day extension of time in which to file the final briefs. I enclose herewith a check for \$50.00 to cover the filing fee for this request and the additional filing fee for the motion. This would make the reply brief due on April 14, 2017.

If anything further is needed to consider this request, please do not hesitate to contact me.

Thank you for your assistance with this matter.

Sincerely,



Adam T. Silvernail

Enclosures

cc: J. Emory Smith, Jr., Esquire
Ariail E. King, Esquire
David L. Paavola, Esquire
Keith M. Babcock, Esquire
Adele J. Pope, Esquire