

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

RECEIVED

APR 20 2017

J.C. Nicholson, Jr., Circuit Court Judge

SC Court of Appeals

Case No. 2012-CP-10-5429

Sara Y. Wilson,

Appellant,

v.

Charleston County School District,

Respondent,

**RESPONDENT'S SECOND CONSENT MOTION
FOR EXTENSION OF TIME TO PETITION FOR REHEARING**

YOUNG CLEMENT RIVERS LLP
Stephen L. Brown
Catherine H. Chase
Leslie M. Whitten
25 Calhoun Street, Suite 400
P. O. Box 993
Charleston, SC 29402-0993
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Facsimile: (843) 579-2983
E-Mail: sbrown@ycrlaw.com
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lwhitten@ycrlaw.com
*Attorneys for the Respondent
Charleston County School District*



COMES NOW Respondent Charleston County School District, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, hereby moves this Honorable Court for an extension of fifteen (15) days' time to petition for rehearing of this matter, which the Court decided by opinion filed Wednesday, March 22, 2017. *Wilson v. Charleston County Sch. Dist.*, Op. No. 5475 (Shearouse Adv. Sh. No. 12 at 13).

1. Rule 221(a), SCACR, provides, "Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court." Based on the March 22nd filing of the Court's opinion in this case, the previous deadline for Respondent to petition for rehearing is the close of business Thursday, April 6, 2017, i.e., the 15th day after the filing of the opinion, as computed under Rule 263(a), SCACR.

2. With consent of counsel for Appellant, Respondent requested as extension of time until Friday, April 21, 2017, which was gracious granted by the Court on April 11, 2017.

3. On account of other time commitments, both work- and non-work-related, including depositions, dispositive motions deadline, and the recent holiday, the undersigned requests an extension of fifteen (15) days'

time for Respondent to petition for rehearing.

4. The undersigned submits that, under the circumstances, there exists good cause for the Court to grant the relief requested herein, such relief constituting a reasonable dispensation, timely sought and consistent with the interests of justice, posing no threat of undue prejudice to any other party.

5. *Before submitting this motion, counsel for Respondent consulted with Appellant's counsel, Blake A. Hewitt, Esquire, who has kindly authorized the undersigned to represent to the Court that he consents and has no objection to this request. (A copy of the undersigned's email correspondence with Mr. Hewitt regarding this matter is attached hereto as Exhibit 1.)*

WHEREFORE, Respondent requests that the Court grant it an extension of 15 days' time (from Friday, April 21, 2017) to petition for rehearing; by the undersigned's calculations, if this request is granted, the new deadline for the Court's actual receipt of Respondent's petition for rehearing would be Monday, May 8, 2017. ADDITIONALLY, Respondent requests that the Court hold this matter in abeyance (and not send down the remittitur) while the present motion is pending.

Respectfully submitted,

YOUNG CLEMENT RIVERS LLP

By: 

Stephen L. Brown
Catherine H. Chase
Leslie M. Whitten
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*Attorneys for the Respondent
Charleston County School District*

Charleston, South Carolina

Dated: April 18, 2017

Chase, Catherine

From: Blake Hewitt <bhewitt@bntdlaw.com>
Sent: Monday, April 17, 2017 6:47 PM
To: Chase, Catherine
Cc: Bates, Tiffany
Subject: Re: Sara Wilson v CCSD appeal

Hello Catherine. Of course I consent and you are welcome to indicate in your motion.

We did have a nice holiday and I hope you and your family enjoyed a relaxing weekend as well. Sorry for being short I'm trying to corral a 2 1/2 year-old.

Sent from my iPhone

On Apr 17, 2017, at 6:15 PM, Chase, Catherine <CChase@ycrlaw.com> wrote:

Blake,

I have a second favor. My case did not settle at mediation, and my dispositive motion is due on 4/21. The case is in Horry County, so I must file a memo along with my motion. Between this and the recent holidays, I am finding myself pressed for time. Would you consent/have no object to me asking the Court of Appeals for one more extension of time to file my petition for rehearing? If so, may I note the same in the motion?

Many thanks in advance,
Catherine

PS: I hope you and your family had a wonderful holiday.

Catherine Holland Chase, Esq.
Young Clement Rivers, LLP
phone: (843) 720-5488
fax: (843) 579-2983
email: cchase@ycrlaw.com
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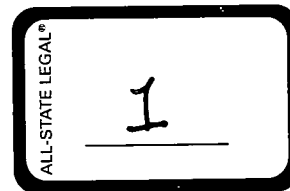
From: Blake Hewitt [<mailto:bhewitt@bntdlaw.com>]
Sent: Thursday, March 30, 2017 6:56 PM
To: Chase, Catherine
Cc: Bates, Tiffany
Subject: Re: Sara Wilson v CCSD appeal

Good evening Catherine.

I appreciate that you always do me the courtesy of asking but I expect you know I have absolutely no objection and you are welcome to note my consent in the motion. I hope all is well with you and I wish you the best of luck in your mediation. All the very best, Blake.

Sent from my iPhone

On Mar 30, 2017, at 6:20 PM, Chase, Catherine <CChase@ycrlaw.com> wrote:



Blake,

I hope all is well with you. Congratulations on your win this matter. I write though because I need to ask if you will not object to me filing a motion for extension of time to file a petition for rehearing in this matter. I have a three-day mediation next week, and the preparations for it have exceeded my expectations. I would like the additional time to address all necessary issues. If you do not object, may I note the same in my motion?

Thank you in advance,

Catherine

Catherine Holland Chase, Esq.

Young Clement Rivers, LLP

phone: (843) 720-5488

fax: (843) 579-2983

email: cchase@ycrlaw.com

<image002.png>

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Attachments larger than 40MB may be rejected by the firm's server. If you are sending an attachment of this size or larger, please contact the intended recipient to inform him/her of your transmission.

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PROOF OF SERVICE

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Attorneys for the Respondent

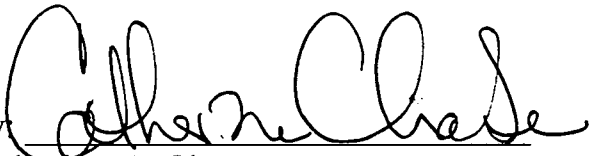
Charleston County School District

I, Catherine H. Chase, of Young Clement Rivers, LLP, counsel for the Respondent above named, do hereby certify that I have served the **Respondent's Second Consent Motion for Extension of Time to Petition for Rehearing** on the above-named Appellant by depositing a copy of the same in the United States Mail, postage prepaid, on April 18, 2017, addressed as follows to their counsel of record:

Tiffany R. Spann-Wilder, Esquire
The Spann-Wilder Law Firm, L.L.C.
P. O. Box 70488
N. Charleston, SC 29415

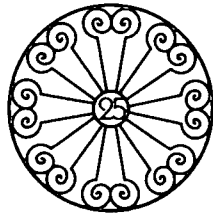
Blake A. Hewitt, Esquire
Bluestein Nichols Thompson Delgado, LLC
P. O. Box 7965
Columbia, SC 29202

YOUNG CLEMENT RIVERS, LLP

By 
Catherine H. Chase

Charleston, South Carolina

Dated: April 18, 2017



YCR LAW

Catherine H. Chase

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April 18, 2017

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SC Court of Appeals

VIA FEDERAL EXPRESS

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Sara Y. Wilson v. Charleston County School District
Appellate Case No. 2014-002596
Case No.: 2014-002596
YCR File: 6959-20062070

Dear Ms. Kitchings:

Enclosed for service upon you, please find the original and seven (7) copies of Respondent's Second Motion for Extension of Time to Petition for Rehearing, the original and one (1) copy of a Proof of Service, and this firm's check in the amount of \$25.00 for filing fees. Please file these documents and return one file-stamped copy of each to me in the envelope provide.

As always, thank you for your assistance. If you have any questions, please do not hesitate to contact me. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Catherine H. Chase

CHC/tlb

Enclosures

cc (w/enc., via email and U.S. Mail): Tiffany R. Spann-Wilder, Esquire
Blake A. Hewitt, Esquire