

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

RECEIVED

APR 21 2017

Roger E. Henderson, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2016-001865
Case No. 15-CP-13-118

Caroll Freeman and Brooke Freeman Appellants,

v.

South Carolina Department of Transportation and
County of Chesterfield, South Carolina Respondents.

**RESPONDENT COUNTY OF CHESTERFIELD'S
MOTION TO FILE FINAL BRIEF OUT OF TIME**

The Respondent County of Chesterfield files this motion to be allowed to file its Final Brief out of time. The Final Brief of this Respondent was due on or before April 17, 2017. Counsel for this Respondent inadvertently treated the filing of a final brief as if it were an initial brief with time for filing to run from receipt of Appellant's brief rather than from receipt of the Record on Appeal. The Appellant's Final Brief was received on April 20, 2017 and counsel discovered this mistake and has acted quickly to correct the mistake. The Respondent's Final Brief is being filed and served on April 21, 2017, within one day of receiving Appellant's Final Brief and discovering the mistake. The Final Brief is being filed and served along with this motion for filing out of time. This Respondent respectfully requests an extension of time so this Final Brief can be filed out of time, received and considered. There is no prejudice to the

Appellant in allowing this brief extension.

MORRISON LAW FIRM, LLC

By: 

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Columbia, South Carolina 29212

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ATTORNEY FOR THE RESPONDENT
COUNTY OF CHESTERFIELD

Columbia, South Carolina

April 21, 2017

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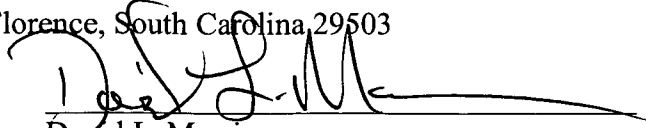
South Carolina Department of Transportation,
and County of Chesterfield, South Carolina Respondents.

CERTIFICATE OF SERVICE

The undersigned employee of Morrison Law Firm, LLC, attorney for the Defendant, County of Chesterfield, South Carolina, does hereby certify that service of the **Respondent County of Chesterfield's Motion to File Final Brief Out of Time** in the above-captioned action was made upon all counsel of record by placing same in the United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope this the 21st day of April, 2017, addressed as follows:

M. W. Cockrell, III, Esquire
Sarah C. Campbell, Esquire
159 Main Street
Chesterfield, South Carolina 29709

J. Rufus Bratton, III, Esquire
Post Office Drawer 1931
Florence, South Carolina, 29503


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APR 21 2017
SC Court of Appeals

David L. Morrison*
Kassi B. Sandifer
Robert G. Cooper**
J. Jordan Johnson

*Licensed in SC & NC
*Certified Mediator
**Of Counsel

April 21, 2017

Honorable Jenny Abbott Kitchings
Clerk of S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

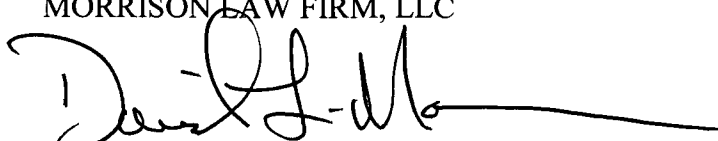
RE: Carroll Freeman and Brooke Freeman v. South Carolina Department of Transportation
and County of Chesterfield, South Carolina
Appellate Case No. 2016-001865
Our file: 310.0501

Dear Clerk Kitchings:

Enclosed is Respondent County of Chesterfield's Motion to File Final Brief Out of Time and the \$25 filing fee in the above-referenced matter. By copy of this letter, I am serving counsel of record with a copy of same.

Very truly yours,

MORRISON LAW FIRM, LLC


David L. Morrison

DLM/cmm

Enclosure

cc: J. Rufus Bratton, III, Esquire
M. W. Cockrell, III, Esquire