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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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MAY 15 2017

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

D. Garrison Hill, Circuit Court Judge
S. Jackson Kimball, Special Circuit Court Judge

Appellate Case No. 2016-002118

Lucille H. Ray Appellant,

v.

City of Rock Hill, South Carolina,
a Municipal Corporation, and
South Carolina Department of Transportation,
an agency of the State of South Carolina,

Of which City of Rock Hill is Respondent.

MOTION FOR EXTENSION

COMES NOW respondent the City of Rock Hill ("Respondent") through its undersigned counsel and pursuant to Rules 240 and 263(b), SCACR, and respectfully requests a short extension of time to serve and file the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal ("Respondent's Brief and Designation").

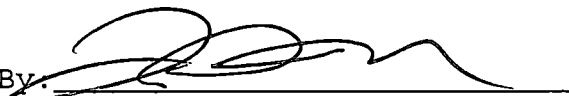
The current deadline for Respondent to file and serve Respondent's Brief and Designation in this matter is May 12,

2017. Respondent respectfully requests a short seven-day extension, or until May 19, 2017, to file and serve Respondent's Brief and Designation. Mark White, lead counsel for Respondent, is currently suffering from an illness which has prevented him from completing work on the Brief and Designation within the current deadline. The onset of this illness was unforeseen and immediate. After consultation, counsel for Appellant reported that Appellant would agree to extend the deadline only by one day, until Monday May 15, 2017. The undersigned believes that the requested extension of only seven days is reasonable in length in light of these extraordinary circumstances and necessary to allow time for abatement of the illness and completion of the work.

WHEREFORE, the undersigned counsel for Respondent respectfully requests a seven-day extension of time in which to serve and file the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal.

Respectfully submitted,

May 12, 2017

By: 

Jeremy D. Melville
SC Bar No. 77473
W. Mark White
SC Bar No. 7016
SPENCER & SPENCER, P.A.
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ATTORNEYS FOR RESPONDENT
CITY OF ROCK HILL

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v.

City of Rock Hill, South Carolina,
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an agency of the State of South Carolina,

Of which City of Rock Hill is Respondent.

PROOF OF SERVICE

I certify that I have served the foregoing Motion for Extension of Time by depositing a copy in the United States Mail, postage prepaid, on May 12, 2017, addressed to counsel of record for Appellant as follows:

Richard B. Fennell
James, McElroy & Diehl, P.A.
600 College Street
Charlotte, NC 28202

SPENCER & SPENCER, P.A.

By: 

Jeremy D. Melville
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P.O. Box 790
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ATTORNEY FOR RESPONDENT
CITY OF ROCK HILL

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C.W.F. SPENCER (1876-1956)
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EMIL W. WALD (1934-2011)
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May 12, 2017

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

Re: Lucille H. Ray v. City of Rock Hill, et al.
Appellate Case No. 2016-002118

Dear Ms. Kitchings:

Enclosed please find a Motion for Extension of Time and Proof of Service in the matter referenced above, along with seven copies of the Motion. Also enclosed is a \$25.00 check for the motion fee. Please file these documents with the records of the Court and return clocked copies to me in the enclosed envelope. Please call if you need anything further.

Sincerely,

SPENCER & SPENCER, P.A.



Jeremy D. Melville

Enclosures

cc: Richard B. Fennell, Esq.

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SC Court of Appeals

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

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