

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

RECEIVED

Roger M. Young, Circuit Court Judge

JUN 07 2017

SC Court of Appeals

Case No. 2015-CP-10-0330

Appellate Case No. 2016-001541

Gary Nestler and Julie Nestler

Appellants,

v.

Joseph E. Fields

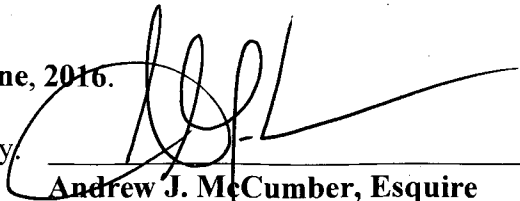
Respondent.

MOTION TO FILE FINAL RECORD ON APPEAL

Counsel for the Appellants in submitting a Request for Extension for time to serve the final brief inadvertently failed to include the phrase "and record on appeal" in his motion. The Record on Appeal has been prepared, and submitted to opposing counsel in this matter. Further, the briefs submitted by both parties contained a number of references to the record. Accordingly, the undersigned would respectfully request this Court to allow Appellants to submit the final copy of the record on appeal outside the time for filing as described by the South Carolina Appellate Court Rules.

Respectfully submitted this 5th day of June, 2016.

By.



Andrew J. McCumber, Esquire
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401
(843) 577-0261
ATTORNEY FOR APPELLANT

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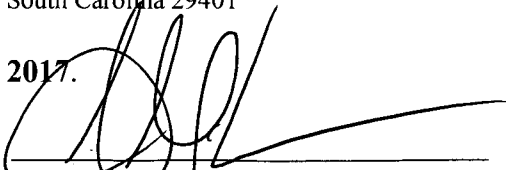
PROOF OF SERVICE

I certify that I have served the Final Record on Appeal and the Motion to File the Record on Appeal on the Respondent, Joseph E. Fields, by hand delivering a copy of same on June 5, 2017, addressed to their attorney of record, as follows:

Paul B. Trainor, Esquire
Hall Booth Smith, P.C.
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401

Respectfully submitted this 5th day of June, 2017.

By:


Andrew J. McCumber, Esquire
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401
(843) 577-0261

ATTORNEY FOR APPELLANTS

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TELEPHONE (843) 577-6531
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June 5, 2017

VIA REGULAR MAIL & FACSIMILE:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-1839

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JUN 07 2017

SC Court of Appeals

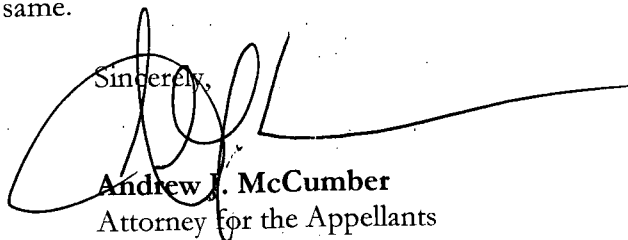
RE: Gary Nestler and Julie Nestler v. Joseph Fields
Appeal Case No.: 2016-001541
Case No.: 2016-CP-10-0330

Dear Ms. Kitchings:

Enclosed you will please find fourteen (14) copies of the Final Record on Appeal with regard to the above-referenced matter. Also enclosed, you will find fourteen (14) copies of the Appellants' Brief with regard to the above-referenced matter. Finally, enclosed you will please find two (2) copies of a Motion for a Request to File the Record on Appeal outside the time limits as described by the South Carolina Appellate Court Rules, along with a check from my firm for the filing fee associated with same. If you will please return one (1) clocked copy of the Motion in the self-addressed, postage paid envelope also enclosed, I would be most appreciative.

I thank you advance for your time, attention and assistance in this matter, and please do not hesitate to contact me or my office if you should have any questions or should require anything from us in order to effectuate the filing of same.

Sincerely,



Andrew J. McCumber
Attorney for the Appellants

AJM/ssh
Enclosure(s) as stated.

cc: Paul B. Trainor, Esquire (*via regular mail & email*)
Court Administration (*via regular mail*)

00100

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JUN 07 2017

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2 Your Internal Billing Reference Nestler

3 To Recipient's Name The Hon. Jenny Abbott Kitchings Phone 803 734-1890

Company South Carolina Court of Appeals

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FedEx Standard Overnight
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