

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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JUN 09 2017

Appellate Case No. 2016-002337

S.C. SUPREME COURT

In the Matter of the Estate of Marion M. Kay

Edward D. Sullivan, as Personal Representative
of the Estate of Marion M. Kay Petitioner/Respondent,

v.

Martha Brown and Mary Moses Respondents/Petitioners

PETITIONER/RESPONDENT'S RETURN TO
MOTION FOR ACCELERATED CONSIDERATION

Daryl G. Hawkins
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Attorneys for Petitioner/Respondent

TO: THE HONORABLE JUSTICES OF THE SOUTH CAROLINA SOUTH CAROLINA:

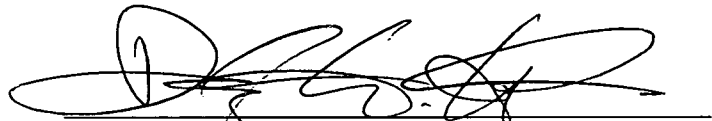
Pursuant to Rule 240(d), SCACR Petitioner/Respondent Edward D. Sullivan, as Personal Representative of the Estate of Marion M. Kay, respectfully responds to Respondents/Petitioners' Motion for Accelerated Consideration.

The Petitioner/Respondent has no objection to the Court's review or scheduling of this case as it deems best to arrive at a just adjudication of the issues as set forth in Petitioner/Respondent's Petition for a Writ of Certiorari.

Petitioner/Respondent does, however, take issue with Respondents/Petitioners' purported basis of its Motion, in part, that the granting of the motion would benefit Petitioner/Respondent "... by reducing the amount of post-judgment interest he is likely to pay . . ." (Respondents/Petitioners' Motion, p. 1, paragraph 1). This statement is not only irrational but is the latest example of gratuitous inflammatory comment made by counsel for Respondent/Petitioners.¹

Accordingly, the Petitioner/Respondent respectfully requests that he be allowed to file the attached Return to Motion for Accelerated Consideration out of time.

Respectfully submitted,



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¹ See Reply Brief of Petitioner/Respondent, footnote 8 at page 11, filed September 26, 2014. Also see Opinion of Court of Appeals at p. 015 of Joint Appendix.

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PROOF OF SERVICE

I certify that I served Petitioner/Respondent's Motion to File Return to Motion Out of Time and Return to Motion for Accelerated Consideration upon Respondents/Petitioners Martha Brown and Mary Moses by mailing one (1) copy to counsel of record, John R. Ferguson, Post Office Box 286, Laurens, SC 29360, as well as a courtesy copy via e-mail transmission.



Robbin Barr
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June 9, 2017