

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
John C. Hayes, III, Circuit Court Judge

Appellate Case No. 2016-002556
Case No. 2014-CP-46-1307

RECEIVED

JUN 13 2017

SC Court of Appeals

Russell Shane Carter, Respondent-Appellant,

v.

Bruce Bryant, as Representative for the Office of the
York County Sheriff, Appellant-Respondent.

**APPELLANT-RESPONDENT'S MOTION FOR
EXTENSION TO FILE INITIAL APPELLANT'S BRIEF**

The Appellant-Respondent Bruce Bryant respectfully moves this Court for an additional one-week extension of time until June 21, 2017, by which to file and serve his Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellant-Respondent's motion is based on the following grounds:



1. The Initial Appellant's Brief of the Appellant-Respondent is currently due to be filed and served on June 14, 2017.


2. The undersigned counsel for the Appellant-Respondent requires the additional time to prepare the Initial Appellant's Brief for a number of reasons including primarily an illness for over two weeks in late May that caused counsel to cut back substantially on work time and delayed his ability to meet other deadlines. In addition, the undersigned counsel then had another brief due in the Court of Appeals on June 2, 2017 in the case of *Farr v. Lott* (Appellate Case Number 2016-002503), then a brief due in the Third Circuit Court of Appeals on June 6, 2017, and finally another brief due in the Court of Appeals on June 8, 2017, in addition to other deadlines and obligations. Most importantly, however, the undersigned is scheduled for oral argument before the South Carolina Supreme Court on June 14, 2017, in a complex and novel case that was certified to that Court and set for an expedited oral argument, and that oral argument is requiring substantial preparation time.

3. Counsel for the Respondent-Appellant Russell Shane Carter has been consulted and has kindly consented to the requested extension. (See attached email).

4. Finally, there will not be any delay in the briefing schedule because the Respondent-Appellant was recently granted an extension until June 26, 2017 to file his Initial Appellant's Brief.

WHEREFORE, the Appellant-Respondent Bruce Bryant respectfully requests that he be allowed until June 21, 2017, by which to file and serve his Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal.

DAVIDSON & LINDEMANN, P.A.

BY: 
ANDREW F. LINDEMANN #13030
ROBERT D. GARFIELD #6557
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

*Counsel for Appellant-Respondent
Bruce Bryant*

Columbia, South Carolina

June 13, 2017

Andrew Lindemann

From: John Nichols <jsnichols@bntdlaw.com>
Sent: Tuesday, June 13, 2017 10:07 AM
To: Andrew Lindemann
Cc: Erin Bridges
Subject: RE: Russell Shane Carter v. Bruce Bryant

Yes. And we'll be seeking the same for the cross appeal.

See you in the morning.

J

John S. Nichols
Bluestein Nichols Thompson & Delgado, LLC
PO Box 7965 (29202)
1614 Taylor Street (29201)
Columbia, SC
(803) 779-7599 ext 115
jsnichols@bntdlaw.com

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

---

**From:** Andrew Lindemann [<mailto:alindemann@DML-LAW.com>]  
**Sent:** Tuesday, June 13, 2017 9:49 AM  
**To:** John Nichols  
**Subject:** Russell Shane Carter v. Bruce Bryant  
**Importance:** High

John:

My Initial brief is due in this case by tomorrow. Because of oral argument in the Penny Tax case as well as other obligations, I will need to ask the Court for an additional week on this brief.

Would you kindly consent?

I appreciate it.

Andrew

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM YORK COUNTY  
John C. Hayes, III, Circuit Court Judge

---

Appellate Case No. 2016-002556  
Case No. 2014-CP-46-1307

---

RECEIVED

JUN 13 2017

SC Court of Appeals

Russell Shane Carter, ..... Respondent-Appellant,

v.

Bruce Bryant, as Representative for the Office of the  
York County Sheriff, ..... Appellant-Respondent.

---

**CERTIFICATE OF SERVICE**

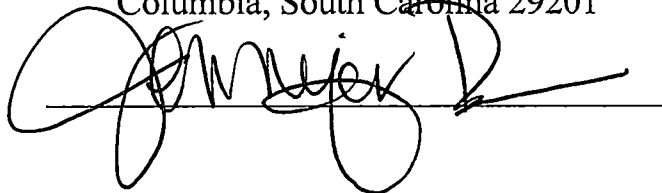
---

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellant-Respondent, does hereby certify that service of **Appellant-Respondent's Motion for Extension to File Initial Appellant's Brief** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 13th day of June 2017:

John S. Nichols, Esquire  
Bluestein Nichols Thompson & Delgado, LLC  
Post Office Box 7965  
Columbia, South Carolina 29202

J. Christopher Mills, Esquire  
Post Office Box 8475  
Columbia, South Carolina 29202

Alex T. Postic, Esquire  
1830 Marion Street  
Columbia, South Carolina 29201

A handwritten signature in black ink, appearing to read "Alex T. Postic", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H. Davidson, II  
Andrew F. Lindemann\*  
James M. Davis, Jr.†  
Robert D. Garfield  
Michael B. Wren

1611 Devonshire Drive, Second Floor  
Post Office Box 8568  
Columbia, South Carolina 29202-8568  
Telephone: (803) 806-8222  
Facsimile: (803) 806-8855  
www.dml-law.com

June 13, 2017

Daniel C. Plyler  
Joel S. Hughes  
David A. DeMasters  
Steven R. Spreeuwiers  
Brandon M. Briggs  
Jasmine D. Wyman

\*Also Admitted In North Carolina  
†Certified Mediator

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

**Hand Delivered**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

RE: Russell Shane Carter v. Bruce Bryant, as Representative for the  
Office of the York County Sheriff  
Appellate Case Number: 2016-002556  
Civil Action Number: 2014-CP-46-1307  
Claim Number: 58922  
Our File Number: 103.9486

RECEIVED

JUN 13 2017

SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of **Appellant-Respondent's Motion for Extension to File Initial Appellant's Brief** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
June 13, 2017  
Page Two

---

cc: (w/ Enclosure)

John S. Nichols, Esquire  
Bluestein Nichols Thompson  
& Delgado, LLC  
Post Office Box 7965  
Columbia, South Carolina 29202

J. Christopher Mills, Esquire  
Post Office Box 8475  
Columbia, South Carolina 29202

Alex T. Postic, Esquire  
1830 Marion Street  
Columbia, South Carolina 29201