

The J.T. Hawkins Law Firm, LLC

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AUG 25 2017

SC Court of Appeals

August 22, 2017

✓ Ms. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Ms. Rosalyn W. Frierson, Director
South Carolina Court Administration
Calhoun Building
1220 Senate Street, Suite 200
Columbia, South Carolina 29201-3739

Re: *Carla Denise Garrison and Clint Garrison v. Target Corporation*
Appellate Case No.: 2017-000267
Trial Court Case No.: 2014-CP-04-01426 consolidated with 2105-CP-04-02206


Dear Madams:

This letter is to confirm my August 22, 2017, telephone conversation with Shelby in the Clerk's Office of the South Carolina Court of Appeals. We understand that the deadline to file the Garrisons' Final Brief is August 31, 2017.

Final Briefs were due August 21, 2017, but the Garrisons filed an Unopposed Motion for Leave to Correct Final Briefs on August 15, 2017. (A copy of the motion, cover letter, and certificate of service is enclosed.) In the motion, the Garrisons requested that both parties be given ten (10) days from the entry of ruling on the motion to file their Final Briefs. Rather than print and file multiple copies of their uncorrected Final Brief, the Garrisons waited for the Court's ruling on the Motion. On August 21, 2017, both Mr. Hawkins and Mr. Butler attempted to reach the Clerk's office to determine if the Garrisons should file the uncorrected Final Brief, and Mr. Hawkins' staff was prepared to drive the brief to Columbia should that have been necessary to meet the August 21 deadline. Neither Mr. Hawkins nor Mr. Butler was unable to reach the Clerk's office on August 21. Additionally, Mr. Hawkins' staff checked C-Track to see if a ruling on the motion had been posted, but it had not. On August 22, Shelby confirmed by telephone that the deadline was moved to August 31, 2017.

As always, we appreciate Shelby's assistance in working through the appeals process. Should you have any questions about the matter outlined in this letter, please contact our office.

Sincerely,



David Schroeder, PhD, CP
Certified Paralegal to Joshua T. Hawkins

Enclosure

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2017-000267

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SC Court of Appeals

Carla Denise Garrison and Clint Garrison.....Appellants,

v.

Target Corporation.....Respondent.

**UNOPPOSED MOTION FOR LEAVE
TO CORRECT FINAL BRIEFS**

Appellants/Cross Respondents Carla Denise Garrison and Clint Garrison request permission to revise their Final Briefs as follows:

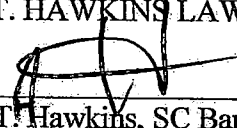
1. All parties have filed their Initial Briefs in this case, and the record has been served.
2. The parties are in the process of preparing and filing their Final Briefs.
3. In preparing their Final Briefs, the Garrisons have realized that an unintentional factual error was included in their Initial Briefs. On page 14 of the Garrisons' Initial Appellants' brief, and on page 14 of the Initial Respondent's Brief, the following sentence appears: "Target filed a response and the Garrisons filed a rebuttal." The Garrisons did not in fact file a rebuttal in the trial court.
4. In light of this unintentional error, the Garrisons request that they be allowed to edit the sentence as follows in their Final Briefs: "Target filed a response and the Garrisons did not file a rebuttal."

5. As reflected in Exhibit A to this motion, Counsel for Respondent/Cross Appellant does not object to the Garrisons being permitted to make this change in their Final Briefs.
6. The Final Briefs currently are due on August 21, 2017.
7. The Garrisons request that both parties be given 10 days from the entry of a ruling on this motion to file their Final Briefs.

For these reasons, the Garrisons request that they be granted leave to amend their Final Briefs and that both parties be given 10 days from the entry of a ruling on this motion to file their Final Briefs.

Respectfully submitted,

THE J.T. HAWKINS LAW FIRM, LLC



Joshua T. Hawkins, SC Bar #78470
The J.T. Hawkins Law Firm, LLC
1225 South Church Street
Greenville, South Carolina 29605
Tel: (864) 275-8142

G. Todd Butler, MS Bar #102907
Phelps Dunbar LLP
4270 I-55 North
Jackson, Mississippi 39236-6114
Tel: (601) 352-2300
Attorneys for Appellant

Paralegal

From: Elliker, Kevin <KElliker@hunton.com>
Sent: Friday, August 11, 2017 9:38 AM
To: Todd Butler (3366)
Cc: Knox Haynsworth; Sibley, Trey; Josh Hawkins; Paralegal
Subject: RE: Garrison v. Target

Hi Todd --

No objections from us.

Thanks,
Kevin

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SC Court of Appeals

-----Original Message-----

From: Todd Butler (3366) [mailto:Todd.Butler@phelps.com]
Sent: Thursday, August 10, 2017 6:20 PM
To: Elliker, Kevin
Cc: Knox Haynsworth; Sibley, Trey; josh@jthawkinslaw.com; Paralegal
Subject: RE: Garrison v. Target

Kevin - In preparing our final briefs, I caught an error on page 14 of our initial appellants' brief and on page 14 of our initial respondent's brief. The sentence in question is this: "Target filed a response and the Garrisons filed a rebuttal." Because we considered but ultimately did not file a rebuttal, it should read like this: "Target filed a response and the Garrisons did not file a rebuttal." Is there any objection to a motion for leave to make this change in the final briefs? Please let me know. Thanks. /Todd

Exhibit A

CERTIFICATE OF SERVICE

I, Joshua T. Hawkins, certify that I filed this **UNOPPOSED MOTION FOR LEAVE TO CORRECT FINAL BRIEFS** with the Clerk of the Court and sent copies to the following by certified mail:

Mr. Knox L. Haynsworth, III
Brown, Massey, LLC
106 Williams Street
Greenville, South Carolina 29601

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AUG 25 2017

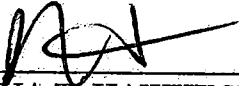
SC Court of Appeals

Attorneys Powell, Sibley, and Elliker
Hunton and Williams, LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219

ATTORNEYS FOR RESPONDENT/CROSS APPELLANTS

The Honorable Alan Wilson
South Carolina Attorney General
P.O. Box 11549
Columbia, S.C. 29211

THIS, the 15th day of August, 2017.



JOSHUA T. HAWKINS

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August 15, 2017

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

Ms. Rosalyn W. Frierson, Director
South Carolina Court Administration
Calhoun Building
1220 Senate Street, Suite 200
Columbia, South Carolina 29201-3739

Re: *Carla Denise Garrison and Clint Garrison, Appellants v. Target Corporation, Respondent*
Appellate Case No.: 2017-000267
Trial Court Case No.: 2014-CP-04-01426 consolidated with 2105-CP-04-02206

Dear Madams:

Please find enclosed the Garrisons' Unopposed Motion for Leave to Correct Final Briefs in the appellate case referenced above, together with a Certificate of Service and the \$25.00 filing fee (included in the mailing to the Clerk of Court).

If anything in this filing is *not* correct, or if there is additional information we should be aware of, please do not hesitate to contact our office.

Sincerely,



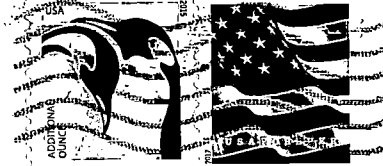
David Schroeder, PhD, CP
Paralegal to Joshua T. Hawkins

Enclosures

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