

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

Appellate Case No. 2017-001367

RECEIVED

NOV 14 2017

SC Court of Appeals

Elizabeth Hope Rainey, as the
Guardian *ad Litem* to Owen C.,
A minor Appellant,

v.

South Carolina Department of
Social Services Respondent.

**RESPONDENT'S MOTION FOR EXTENSION
OF TIME WITHIN WHICH TO FILE AND SERVE THE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD**

YOU WILL PLEASE TAKE NOTICE that, pursuant to Rules 208, 209, and 240 of the South Carolina Appellate Court Rules, the Respondent South Carolina Department of Social Services, by and through its undersigned attorney, moves to extend the due date in which to file and serve its Initial Brief and Designation of Matter from November 13, 2017 to November 28, 2017. This motion is the Respondent's second request for extension—the

first request was by letter dated October 10, 2017—and is made on the grounds that within the last week the undersigned counsel for the Respondent has received nineteen (19) Amended Complaints adding the undersigned's governmental client as a Defendant in a U.S. District Court law suit arising out of the October, 2015 flooding, for which Answers are due November 17, and the investigation required to prepare the Answers has interrupted and detracted from the preparation of the Respondent's Initial Brief. Although the undersigned is well along in preparation of the Brief, it is not completed, and additional time is required.

The undersigned is informed and believes that good cause exists for the extension, that the Brief and Designation of Matter will be completed within the additional fifteen days requested, that the Appellant will not be prejudiced by the extension sought by this Motion, and that the proceedings will not be unreasonably delayed.

As indicated above, this is the second request for extension of time by the Respondent.

DAVIS FRAWLEY, LLC

By: 

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ATTORNEYS FOR RESPONDENT SCSS

Lexington, South Carolina
November 10, 2017.



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PROOF OF SERVICE

I certify that I have served the **Respondent's Motion for Extension** on the Appellant, by depositing a copy in the United States Mail, postage prepaid, on the 10th day of November, 2017, addressed to her attorneys of record at the following addresses:

Whitney B. Harrison, Esquire
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Columbia SC 29201

S. Randall Hood, Esquire
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November 10, 2017.



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November 10, 2017

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

RECEIVED
NOV 14 2017
SC Court of Appeals

RE: *Elizabeth Hope Rainey, as the appointed Guardian ad Litem to Owen Carduff,
a minor, v. South Carolina Department of Social Services;*
Appellate Case No. 2017-001367.

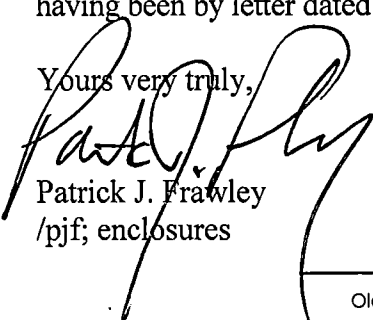
Dear Ms. Kitchings:

I am the attorney for the Respondent South Carolina Department of Social Services in the referenced appeal, and Whitney B. Harrison of McGowan, Hood and Felder represents the Appellant. My Respondent's Initial Brief and Designation of Matter are due to be filed and served by November 13, 2017.

I have enclosed the original and seven copies of a Motion for Extension of Time of the Respondent for the filing and service of the Initial Brief of Respondent and Designation of Matter in the referenced appeal, with proof of service attached, along with our law firm check in the amount of \$25.00 to cover the cost of processing the Motion, requesting an additional fifteen (15) days, through November 28, 2017. My grounds for requesting the extension are set forth in the Motion. I would appreciate you filing the original and six copies, and returning the seventh copy to me, clocked-in, in the enclosed self-addressed stamped envelope.

As I have indicated in the motion, this is our second request for an extension, with the first request having been by letter dated October 10, 2017.

Yours very truly,


Patrick J. Frawley
/pjf; enclosures

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The Honorable Jenny Abbott Kitchings

Clerk of Court

S.C. Court of Appeals

RE: *Elizabeth Hope Rainey, as the appointed Guardian ad Litem to Owen Carduff,
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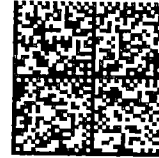
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