

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM GREENWOOD COUNTY

Court of Common Pleas

DEC 05 2017

Hon. Frank R Addy, Jr , Circuit Court Judge

SC Court of Appeals

Case № 2017-000810

Jeffrey S. Kagan, Appellant,

vs.

D. Renee Simchon Respondent

**MOTION TO FILE OUT OF TIME THE RETURN TO MOTION TO STRIKE
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL**

C. Rauch Wise, Attorney for the Appellant moves this Court for permission to file the Return to Motion to Strike Designation of Matter to Be Included in Record on Appeal out of time. This motion is based upon the fact that the Attorney for the Appellant had a brief due with the Fourth Circuit on November 20, 2017, and was on vacation the rest of that week and requests this Court allow him to file the Return to Motion out of time.

December 1, 2017



C. Rauch Wise
Attorney at Law
305 Main Street
Greenwood, SC 29646
(864) 229-5010

Attorney for Appellant

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENWOOD COUNTY
Court of Common Pleas
Hon. Frank R Addy, Jr , Circuit Court Judge

RECEIVED

DEC 05 2017

SC Court of Appeals

Case № 2017-000810

Jeffrey S. Kagan, Appellant,

vs.

D. Renee Simchon Respondent

AFFIDAVIT OF SERVICE

PERSONALLY appeared before me, Sandy Traynham who, after being duly sworn, deposes and says that she is the Secretary for C. Rauch Wise, Attorney for the Appellant in the above entitled case. That on December 1, 2017, she did deposit in the United States Mail with proper postage affixed thereto, a copy of the Motion to File Out of Time the Return to Motion to Strike Designation of Matter to be included in Record on Appeal together with a copy of the Return to Motion to Strike Designation of Matter to be included in Record on Appeal in the above case addressed to J. Walker Coleman, IV, Meg E. Sawyer, K&L Gates,, 134 Meeting Street, Ste. 500, Charleston, SC 29401, and Edward S. McCallum, III, PO Box 148, Greenwood SC 29648.

Sworn to and Subscribed

Sandy Traynham

before me this 1 day

of December, 2017

C. Rauch Wise

Notary Public for South Carolina

My Commission Expires: 12/7/2018

LAW OFFICE OF
C. RAUCH WISE
Attorney & Counselor at Law
305 Main Street
Greenwood, SC 29646
e-mail rauchwise@gmail.com

C. Rauch Wise

Telephone
(864) 229-5010
Facsimile
(864) 229-2665

December 1, 2017

Jenny Abbott Kitchings, Clerk
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
DEC 05 2017
SC Court of Appeals

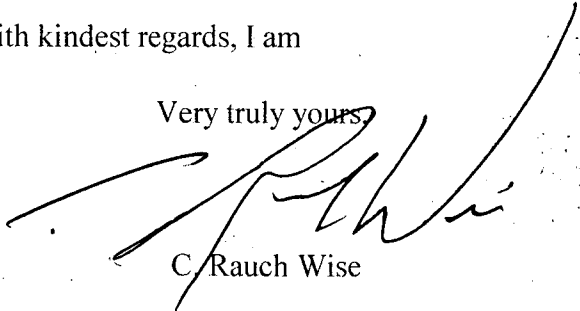
Re: Kagan vs. Simchon, Appellate Case No. 2017-000810

Dear Ms. Kitchings:

I am enclosing herewith the original and six copies of the Motion to File Out of Time together with the original and six copies of the Return to Motion to Strike Designation of Matter to be Included in Record on Appeal. I am also enclosing herewith a check in the amount of Twenty-Five (\$25.00) Dollars and the original Affidavit of Service.

With kindest regards, I am

Very truly yours,


C. Rauch Wise

CRW/slt
Enclosure

cc Edward McCallum
J. Walker Coleman, IV

LAW OFFICE OF
C. RAUCH WISE
Attorney & Counselor at Law
305 Main Street
Greenwood, SC 29646

RECEIVED

DEC 05 2017

SC Court of Appeals

Jenny Abbott Kitchings, Clerk
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

UNITED STATES
POSTAL SERVICE. Retail

P

US POSTAGE PAID
\$7.20

Origin: 29646
Destination: 29211
1 Lb 8.40 Oz
Dec 01, 17
4536400646-03 1024

PRIORITY MAIL 2-Day®

Expected Delivery Day: 12/04/2017 **B012**

USPS TRACKING NUMBER

9505 5102 8946 7335 0726 69