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THE STATE OF SOUTH CAROLINA  
In Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. THOMAS COOPER, JR., Circuit Court Judge

RECEIVED

DEC 20 2017

Case No. 2017-CP-40-4534

SC Court of Appeals

MOSHEN A. BADDOURAH, as Member of The  
City Council of The City of Columbia,

Appellant.

v.

HENRY MCMASTER, in his capacity as Governor for the  
State of South Carolina,

Respondent,

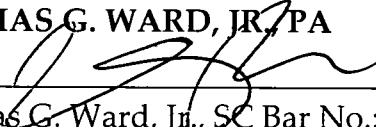
APPELLANT'S MOTION TO ACCEPT LATE  
FILING OF NOTICE OF APPEAL

Appellant respectfully moves this court to accept the late filing of the Notice of Appeal in this matter. Appellant timely served the Notice of Appeal on December 8, 2017 as shown on the Proof of Delivery being filed with this court along with the Notice of Appeal, order being appealed and filing fee. Pursuant to Rule 203(d) SCACR the Notice of Appeal and related documents were due Monday, December 18, 2017. Therefore, this filing is two (2) days late. Appellant's counsel believes in good faith that he both calendared this deadline and asked his paralegal to calendar this date as well; however, whether due to human inadvertence, software update or some unknown

error, this deadline did not appear on the calendar. Counsel would further request this court to consider the press of work prior to the holidays and that a delay of two (2) days is minimal and will not prejudice the prosecution of this appeal.

**WHEREFORE**, having set forth the grounds therefore, the Appellant prays for an order of this court accepting the late filing of this Notice of Appeal.

**TOBIAS G. WARD, JR., PA**

  
Tobias G. Ward, Jr., SC Bar No.: 5826

J. Derrick Jackson, SC Bar 15192

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803-708-4200

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[dj@tobywardlaw.com](mailto:dj@tobywardlaw.com)

Dated: 12-20, 2017

THE STATE OF SOUTH CAROLINA  
In Court of Appeals

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**PROOF OF SERVICE**

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I J. Derrick Jackson, attorney for TOBIAS G. WARD, JR., PA hereby certify that the Appellant's Motion To Accept Late Filing Of Notice Of Appeal was served on the Respondent Governor Henry McMaster by depositing a copy in the United States Mail, postage prepaid, on December 20, 2017 to the address' listed below:

OFFICE OF THE GOVERNOR, SOUTH CAROLINA  
Thomas Ashley Limehouse, Jr., Legal Counsel  
1100 Gervais Street  
Columbia, SC 29201

*(Signature on the next page)*



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TOBIAS G. WARD, JR., PA  
— ATTORNEYS AT LAW —

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December 20, 2017

HAND DELIVERY

RECEIVED  
DEC 20 2017  
SC Court of Appeals

Jenny Abbott Kitchings  
Clerk of Court of Appeals  
Columbia, South Carolina 29201

Re: Mohsen A. Baddourah v Henry McMaster, in his capacity as  
Governor for the State of South Carolina  
Case No.: 2017-CP-40-4534

Dear Ms. Kitchens:

Enclosed for filing are the original and three (3) copies of the Notice of Appeal, Proof of Service upon the Respondent, and a copy of the Order being challenged. Also enclosed is a check for \$100.00 for the filing fee.

Additionally, enclosed are an original and six (6) copies of the Appellant's Motion To Accept Late Filing Of Notice Of Appeal along with a check for \$25.00 for the filing fee. Along with a copy of this letter I am serving a copy of the motion on counsel for the Respondent.

Please clock the extra copies and return them with our courier.

Respectfully,

TOBIAS G. WARD, JR., PA

  
J. Derrick Jackson

JDJ: wrc  
Enclosure  
cc: Thomas Ashley Limehouse, Jr., Esquire (w/enclosure)