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**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity
J.C. Nicholson, Jr., Circuit Judge

Case No. 2015-CP-10-3392
Appeal No. 2017-001628

RECEIVED
JUN 11 2018
SC Court of Appeals

Ann M. Blandin,

Respondent-Appellant,

v.

City of North Charleston,

Appellant-Respondent.

**MOTION FOR CLARIFICATION
ON BEHALF OF
APPELLANT-RESPONDENT CITY OF NORTH CHARLESTON**

This appeal involves two appeals. The City of North Charleston filed its notice of appeal first and is designated as the Appellant/Respondent, and Plaintiff Blandin is designated the Respondent/Appellant. The City as Appellant-Respondent filed an Initial Appellant’s Brief on December 6, 2017, while Plaintiff Blandin as Respondent/Appellant initially filed a motion to dismiss the City’s appeal. When the Court issued its order denying the motion to dismiss, by letter of March 22, 2018, the Court directed that appellant-respondent’s brief and respondent-appellant’s brief be filed within 30 days. Since the City had already filed its Initial Appellant’s Brief, the City waited for Plaintiff Blandin to serve her briefs – expecting to receive the Plaintiff’s initial brief of appellant (on her secondary/cross appeal) as well as an initial brief of

respondent (on the City's primary appeal). Instead, however, the City was served with a single initial brief from Plaintiff Blandin which responds to the issue raised in the City's primary appeal and also presents the issue on her secondary/cross appeal.

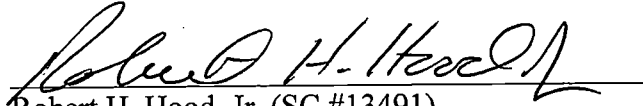
By letter dated April 24, 2018, the City wrote to the Court seeking clarification as to whether it should file an initial respondent's brief on the secondary/cross appeal and a separate reply on the primary appeal, or if it should combine its arguments on both appeals in one responsive brief. By letter April 27, 2018, 2018, the Court advised the parties that: "The respondents' initial briefs and designations of matter of Respondent-Appellant and Appellant-Respondent are due to be served and filed no more than 30 days from the date of this letter."

The City served and filed an Initial Brief of Respondent on the Plaintiff's secondary/cross appeal on May 25, 2018. As of June 8, 2018, the City has not received any briefs from Plaintiff Blandin. Thus, the City again seeks clarification from the Court.

To the extent that Plaintiff Blandin has not filed a separate "initial brief of respondent," but her "Respondent-Appellant's Initial Brief" does contain a responsive argument to the City's primary appeal, the City seeks permission to serve and file a reply which is submitted herewith and to serve the Record on Appeal no later than 30 days from the date of the Court's order accepting the City's reply. In the alternative, the City requests instructions from the Court on next step(s) to complete the briefing stage of these two appeals.

Respectfully submitted,

HOOD LAW FIRM, LLC



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LAW OFFICES OF J. BRADY HAIR
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**Attorneys for the Appellant/Respondent
City of North Charleston**

June 8, 2018

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity
J.C. Nicholson, Jr., Circuit Judge

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Certificate of Service

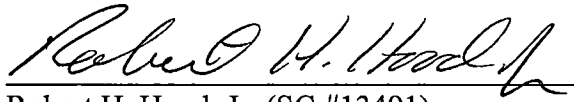
The undersigned certifies that on this 8th day of June 2018, a copy of the Motion for Clarification of Appellant-Respondent City of North Charleston with a proposed Initial Reply Brief was served on Counsel for all the parties by depositing a copy in the U.S. Mail, with sufficient first class postage, addressed to the following counsel at the addresses listed below:

Lawrence C. Kobrovsky, Esquire
Post Office Box 1726
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Attorneys for the Appellant/Respondent

City of North Charleston

6/8, 2018
Charleston, South Carolina

June 8, 2018

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

Re: Ann M. Blandin v. City of North Charleston
C/A No. 2015-CP-10-3392, Charleston CP
Appellate Case No. 2017-001628
HLF File No. 236.136

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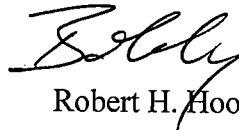
SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Appellant-Respondent City of North Charleston's Motion for Clarification and proposed Initial Reply Brief of Appellant-Respondent City of North Charleston in the above-referenced matter, along with the Certificate of Service for each and our check for the filing fee. I am serving all counsel of record with a copy. Please return a clocked-in copy in the envelope provided.

Kind regards,

Yours truly,



Robert H. Hood, Jr.

RHHjr/jas
Enclosure(s)

cc: J. Brady Hair, Esquire/Derk Van Raalte, Esquire
John E. Parker, Esquire/William F. Barnes, III, Esquire
Lawrence C. Kobrovsky, Esquire
William J. Horvath, Esquire

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