

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Kristi Lea Harrington, Circuit Court Judge

Appellate Case No. 2018-000791
Case No. 2016-CP-08-0131

RECEIVED
AUG 27 2018
SC Court of Appeals

Jeffrey Lance Cruce,.....

Respondent,

v.

Berkeley County School District,.....

Appellant.

**MOTION FOR EXTENSION TO
FILE INITIAL BRIEF OF APPELLANT**

The Appellant Berkeley County School District respectfully moves this Court for an additional extension of time until September 14, 2018, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellant's motion is based on the following grounds:

1. The Appellant's Initial Brief is currently due to be filed and served on August 31, 2018.

2. The undersigned counsel for the Appellant requires this additional time to prepare the Appellant's Initial Brief because of other obligations and deadlines, specifically an appellate brief due in the South Carolina Supreme Court on August 27, 2018, and a three-day trial that has now been set to begin on Wednesday, August 29, 2018, in the case of *Spartanburg Sanitary Sewer District v. South Carolina Budget Control Board*.

3. Counsel for the Respondent Jeffrey Lance Cruce has been consulted and has consented to the requested extension. (See attached email).

WHEREFORE, the Appellant Berkeley County School District respectfully requests that he be allowed until September 14, 2018, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN, DAVIS & HUGHES, P.A.

BY: 

ANDREW F. LINDEMANN #13030
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
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Email: andrew@ldh-law.com

*Counsel for Appellant
Berkeley County School District*

August 27, 2018

Andrew Lindemann

From: Nancy Bloodgood <nbloodgood@bloodgoodsanders.com>
Sent: Monday, August 27, 2018 8:18 AM
To: Andrew Lindemann
Subject: Re: Cruce v. Berkeley County School District Appeal

Yes that's fine

Sent from my iPhone

On Aug 27, 2018, at 8:17 AM, Andrew Lindemann <Andrew@LDH-Law.com> wrote:

Nancy:

I hope you are doing well. I have a huge favor to ask. My initial brief is due this Friday the 31st. This past Friday, I was given a day certain for a three day trial in Spartanburg in front of Judge Kelly that will start Wednesday. In addition, I have a Supreme Court brief still due today. Given these developments, my plan is to ask the Court of Appeals for a 14-day extension for the brief in Cruce. Would you kindly consent to that extension request? I will certainly consent to any extensions that you may need in responding.

I would like to get that motion file today. Please let me know if you can.

Thanks.

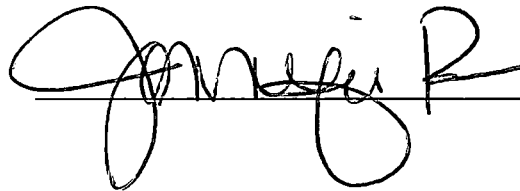
Andrew

CERTIFICATE OF SERVICE

The undersigned employee of Lindemann, Davis & Hughes, P.A., counsel for the Appellant, does hereby certify that service of the **Motion for Extension to File Initial Brief of Appellant** was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 27th day of August 2018:

Nancy Bloodgood, Esquire
Bloodgood & Sanders, LLC
242 Mathis Ferry Road Suite 201
Mt. Pleasant, South Carolina 29464

Richard J. Morgan, Esquire
Wm. Grayson Lambert, Esquire
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211



A handwritten signature in black ink, appearing to read "James R. Morgan", is written over a horizontal line.

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LINDEMANN, DAVIS & HUGHES, P.A.

Attorneys at Law

Andrew F. Lindemann*
James M. Davis, Jr.†
Joel S. Hughes†

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*Also admitted in North Carolina
†Certified Mediator

August 27, 2018

Direct Dial (803) 881-8921
Email: andrew@ldh-law.com

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Jeffrey Lance Cruce v. Berkeley County School District
Appellate Case Number: 2018-000791
Civil Action Number: 2016-CP-08-0131
Claim Number: 17177
Our File Number: 104.20017

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Dear Ms. Kitchings:

Please find enclosed the original and seven copies of the **Motion for Extension to File Initial Brief of Appellant** in the above referenced matter. I would appreciate you filing the original motion and returning a clocked-in copy to me by way of my paralegal. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. If you have any questions, please advise.

Sincerely,

LINDEMANN, DAVIS & HUGHES, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

✓

The Honorable Jenny Abbott Kitchings
August 27, 2018
Page Two

cc: (w/ Enclosure)

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