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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Perry M. Buckner III, Circuit Court Judge

Appellate Case No. 2018-000853

RECEIVED
NOV 19 2018
SC Court of Appeals

Ryan McAvoy..... Appellant.

v.

Hilton Head Island-Bluffton Chamber of Commerce,Respondent,

MOTION TO SERVE AND FILE OUT OF TIME APPELLANT'S DESIGNATION
OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

Taylor M. Smith IV
S.C. Bar No. 101584
Harrison, Radeker & Smith, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorneys for Appellant

Appellant hereby moves pursuant to Rule 240, SCACR, requesting the Court accept late service of the designation of matter. On November 7, 2018, Appellant timely filed and served his initial brief in this matter; however, failed to include his designation of matter to be included in the record on appeal with that filing and service on the Respondent. Consequently, Appellant failed to timely file and serve the complete initial brief and designation of matter, pursuant to the South Carolina Appellate Court Rules. The Court on November 9, 2018, noted the deficiencies in Appellant's filing and notified him that he had ten days to file this motion. Appellant is sorry a mistake was made regarding this initial filing and service and would greatly appreciate an opportunity to remedy this situation but filing the designation of matter to be included in the record on appeal out of time. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. Appellant's initial brief was timely filed and served on November 7, 2018 and allowance of this motion would not change any substantive argument in this appeal as embodied in the previously-filed initial brief.
2. The Respondent consents to the requested extension.
3. There is good cause to grant the requested extension.

WHEREFORE Appellant prays for an order allowing Appellant to serve and file out of time Appellant's designation of matter to be included in the record on appeal.

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Respectfully submitted,

Taylor Smith

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S.C. Bar No. 101584
Harrison, Radeker & Smith, P.A.
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Columbia, South Carolina 29250
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November 19, 2018

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Perry M. Buckner, III

Case No. 2017-CP-07-01766

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SC Court of Appeals

Hilton Head Island – Bluffton Chamber of Commerce.....Respondent,

v.

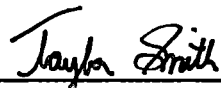
Ryan McAvoy.....Appellant.

PROOF OF SERVICE

I certify that I served the Motion to Serve and File out of Time the Appellant's Designation of Matter to be Included in the Record on Appeal by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Benjamin E. Nicholson, V
Wm. Grayson Lambert
McNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211

November 19, 2018



Taylor M. Smith IV (Bar No. 101584)
Harrison, Radeker & Smith, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
Attorney for Appellant