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DEC 10 2018

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Trial Court Case Nos. 2013-CP-02-02849 and 2013-CP-02-02850
Appellate Case No. 2015-002417

In Re: The Estate of James Brown a/k/a James Joseph Brown,

Tommie Rae Brown.....Respondent,

v.

David C. Sojourner, Jr., in his capacity as Limited
Special Administrator and Limited Special Trustee,
Deanna Brown-Thomas, Yamma Brown, Venisha Brown,
Larry Brown, Terry Brown and Daryl Brown Respondents below,

Of whom Deanna Brown-Thomas, Yamma Brown and Venisha Brown,
are the..... Petitioners.

**PETITIONERS' MOTION FOR EXTENSION OF TIME
TO FILE COPY OF PETITION FOR WRIT OF CERTIORARI WITH COURT
OF APPEALS**

Counsel for petitioners Deanna Brown-Thomas, Yamma Brown, and Venisha Brown ("Petitioners") hereby move the Court to extend the time limit for filing a copy of the Petition for Writ of Certiorari previously filed November 9, 2018, with the South Carolina Supreme Court on behalf of Petitioners with the Court of Appeals to December 10, 2018.

Petitioners filed their Petition for Writ of Certiorari ("Petition") and Appendix with this Court on November 9, 2018. Due to an oversight on the part of Petitioners' counsel, a copy of

the Petition was not filed with the Clerk of the Court of Appeals as required by Rule 242(c), SCACR. Counsel was not aware of this oversight until the evening of Sunday, December 9, 2018, when counsel reviewed the footnote contained in Respondent's Return noting the mistake. On December 10, 2018, counsel provided the Court of Appeals with the required copy of their Petition for Writ of Certiorari and further provided proof of filing of the same with this Court.

In support of this motion, counsel for the Petitioners would show as follows:

(1) This Court has extremely broad discretion in matters related to writs of certiorari, including the power to extend the time limits provided by Rule 242(c), SCACR;

(2) The Court of Appeals is aware that this case is pending review by this Court, inasmuch as petitioner Michael Deon Brown filed a copy of his Petition for Writ of Certiorari with the Court of Appeals, thus any administrative concerns associated with the mistake made by counsel for the Petitioners have been avoided; and

(3) The South Carolina Appellate Court Rules explicitly provide that a writ of certiorari will only be granted "where there are special and important reasons." The questions presented to this Court by way of petition for writ of certiorari reflect important questions of law that will impact the resolution of myriad cases for decades to come. These questions should be considered upon their merits rather than discarded for a technical procedural oversight made by counsel that has since been cured. *See Robinson v. Estate of Harris*, 388 S.C. 616, 627 n.8, 698 S.E.2d 214, 220 n.8 (2010) (choosing to address the merits of an unappealed issue "rather than merely rely on procedural rules to reach our ultimate disposition").

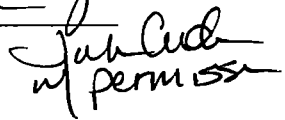
(4) Inasmuch as the Petition for Writ of Certiorari was timely filed with the Supreme Court on November 9, 2018, the certiorari process will not be delayed by granting Petitioners' Motion, and there is no prejudice to the Respondents.

For the foregoing reasons, counsel for Petitioners respectfully request the time for filing a copy of the Petition for Writ of Certiorari with the Court of Appeals be extended to December 10, 2018.

Respectfully submitted,



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December 10, 2018

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Of whom David C. Sojourner, Jr., in his capacity as
Limited Special Administrator and Limited Special Trustee,
Deanna Brown-Thomas, Yamma Brown, Venisha Brown,
Terry Brown, Michael Deon Brown and Daryl Brown are the Petitioners.

PROOF OF FILING AND SERVICE

The undersigned hereby certifies that on December 10, 2018, s/he has delivered a copy of Petitioners' **PETITION FOR WRIT OF CERTIORARI** to the Court of Appeals for filing and caused a copy of **PETITIONERS' MOTION FOR EXTENSION OF TIME TO FILE COPY OF PETITION FOR WRIT OF CERTIORARI WITH COURT OF APPEALS** to be served upon all parties of record by mailing a copy of **PETITIONERS' MOTION FOR EXTENSION OF TIME TO FILE COPY OF PETITION FOR WRIT OF CERTIORARI WITH COURT OF APPEALS** addressed as follows:

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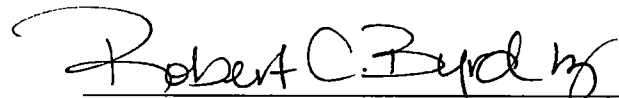
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w/ permission*

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