

Matthews, Lindsey

From: Christopher Brumback <chris@brumbacklangle.com>
Sent: Monday, December 31, 2018 3:39 PM
To: Matthews, Lindsey
Cc: Ben Aplin; Spencer Langley
Subject: State v. Glenn - Supplemental Information Regarding Extenuating Circumstances in Support of Motion for Extension

Ms. Matthews,

Please accept this email in response to your direction to provide additional information regarding the extenuating and extraordinary circumstances justifying Appellant's present Motion for an extension of time to file and serve Appellant's Brief and the Appendix in the above referenced appeal. As my partner informed you over the telephone, our office recently and unexpectedly was forced out of the office in which our firm has been located since its inception. A new owner recently bought the building in which our office was located and indicated intent to breach our lease and force us, along with all other tenants, out of the building. When this ordeal began in or about the end of October, the other attorney with whom we shared office space moved out of the suite in which our two firms' offices were located. Upon doing so, the other firm submitted a mail forwarding request to the USPS for her firm and the portion of our suite in which her office was located. For reasons that are still unclear to myself, my partner, or the other attorney with whom my firm previously shared space, this began a huge problem with the USPS being unable to deliver our mail or the mail of the other attorney who moved out of our prior suite. My partner and I have both been down to the Main Post Office in Greenville and discussed the disappearance of our mail on numerous occasions, all to no avail. In addition to receiving some mail long after it was sent, some mail simply just never arrives, which we have had to explain to several clients who have either sent checks to our firm or who have been waiting for settlement checks to arrive. This problem has been so frustrating and concerning that, at the direction of the Postal Service employees at the Washington Street Post Office, we even opened a PO Box to try to fix this issue. Despite all these efforts, the mail problem still persists and I believe it will only truly be resolved by the fact that we have completed our move to our new office location.

Although the Writ of Certiorari was dated November 28, 2018, the timeframe during which it was mailed to our prior office was at the height of the difficulties with the USPS losing and/or failing to deliver our mail in a timely manner. Consistent therewith, the Court's correspondence informing my office of the grant of the Writ of Certiorari was not received as would be expected on November 29 or 30, but substantially and significantly later on Friday, December 7th or Monday, December 10th. In addition to and compounding the problems previously detailed with regard to the USPS providing delayed notice of the Grant of Certiorari, due to the forced and unexpected relocation of our office, which was required to occur before December 31, 2018, the time, attention, and energy of our attorneys and staff, myself included, was unavoidably pulled away from finishing Appellant's Brief in the time left after finally receiving the Court's correspondence. Efforts to finalize Appellant's brief were further hampered by the fact that files and research associated with Appellant's case were packed away for purposes of the move.

The problems stemming from unexpectedly being forced to uproot our firm and move to a new location, which directly includes the problems we have suffered with the USPS, were by no means an intentional effort to delay this case, but rather were a perfect storm of externalities that made completion of Appellant's Brief by December 28, 2018 all but impossible. Given these extenuating circumstances, my partner, Spencer, contacted Mr. Aplin on Friday, December 28, 2018, to ask if he would consent to an extension of time to file and serve Appellant's Brief, a request to which Mr. Aplin graciously agreed. Now that we have completed the move to

our new location, which occurred on December 27, 2018, I have already found and pulled out everything necessary for finalization of Appellant's Brief and will be working on completion thereof first thing on January 2, 2019 when our office reopens. Accordingly, in light of the circumstances I would respectfully ask the Court to grant an extension of twenty (20) days in which to file and serve Appellant's Brief and the Appendix.

Your consideration of this supplemental explanation of the circumstances surrounding this request are greatly appreciated.

With Kindest Regards,

Christopher T. Brumback

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