

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Grace Gilchrist Knie, Circuit Court Judge

Appellate Case No. 2018-001665
Case No. 2016-CP-42-2478

RECEIVED
JAN 02 2019
SC Court of Appeals

Betty Jean Perkins, Respondent,

v.

South Carolina Department of Transportation, Appellant.

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

The Appellant South Carolina Department of Transportation respectfully moves this Court for an additional extension of time of two days until January 4, 2019, 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 January 2, 2019.

2. The undersigned counsel for the Appellant requires this additional time to complete the preparation and drafting of the Appellant's Initial Brief because of other obligations and deadlines, and primarily as a result of having been out of state with family for the recent holidays.

3. Counsel for the Respondent Betty Jean Perkins has been consulted and has consented to the requested extension through January 4, 2019. (See attached email).

WHEREFORE, the Appellant South Carolina Department of Transportation respectfully requests that it be allowed until January 4, 2019, 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
T: 803-881-8920
Email: andrew@ldh-law.com

*Counsel for Appellant South Carolina
Department of Transportation*

January 2, 2019

Andrew Lindemann

From: Neil E. Alger <nalger@pmped.com>
Sent: Wednesday, January 2, 2019 1:12 PM
To: Andrew Lindemann
Subject: RE: Perkins appeal

No problem. Take the rest of the short week. Safe Travels

From: Andrew Lindemann <Andrew@LDH-Law.com>
Sent: Wednesday, January 2, 2019 12:37 PM
To: Neil E. Alger <nalger@pmped.com>
Subject: Perkins appeal

Neil:
Hope you had a good holidays.
I have a favor to ask. I am still traveling back from seeing my daughter in Alabama and have hit a bunch of traffic that has delayed me a good bit. My initial brief is due today. Would you kindly consent to an additional extension of one day through tomorrow for me to get the brief completed?
Thanks.

Andrew

Sent from my iPhone

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

CONFIDENTIALITY NOTICE

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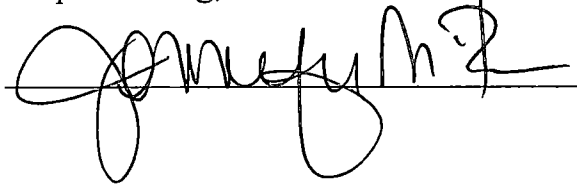
South Carolina Department of Transportation, Appellant.

CERTIFICATE OF SERVICE

The undersigned employee of Lindemann, Davis & Hughes, P.A., counsel for the Appellant South Carolina Department of Transportation, does hereby certify that service of the **Motion for Extension to File Initial Brief of Appellant** in the above captioned matter 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 2nd day of January 2019:

John E. Parker, Esquire
Neil E. Alger, Esquire
Peters Murdaugh Parker Eltzroth & Detrick, P.A.
Post Office Box 457
Hampton, South Carolina 29924-0457

William M. Smith, Esquire
Smith & Haskell Law Firm, LLP
218 East Henry Street
Spartanburg, South Carolina 29306

A handwritten signature in black ink, appearing to read "William M. Smith", is written over a horizontal line. The signature is stylized and cursive.



ANDREW F. LINDEMANN*
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5 Calendar Court, Suite 202 (29206)
Post Office Box 6923
Columbia, South Carolina 29260

January 2, 2019

Hand Delivered

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

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JAN 02 2019
SC Court of Appeals

RE: Betty Jean Perkins v. South Carolina Department of Transportation
Appellate Case Number: 2018-001665
Civil Action Number: 2016-CP-42-2478
Claim Number: 01391
File Number: 104.20000

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 not enclosed a filing fee since the Appellant is exempt. 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

J

The Honorable Jenny Abbott Kitchings
January 2, 2019
Page Two

cc: (w/ Enclosures)

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