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JUL 26 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Richland County
Court of Common Pleas
The Honorable DeAndrea G. Benjamin, Circuit Judge

Appellate Case No. 2018-002167

Isaac Smith, Jr.,

Appellant,

v.

Johnnie Mae Muller Newton

Respondent.

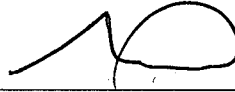
**Respondent's Motion to file her Initial Brief and Designation of Matter to be Included
in the Record on Appeal Out of Time**

Respondent moves, pursuant to Rule 240, *SCACR*, and this Court's letter dated July 16, 2019, for an Order accepting her Initial Brief and Designation of Matter as filed. The grounds for this motion are as follows:

1. Since the filing of this appeal, the Court has identified deficiencies in several of the Appellant's filings and requested that he rectify them by particular dates.
2. As a result, the deadline for Respondent's Initial Brief and Designation of Matter were pushed back. Due to an oversight, the ultimate date for filing was inadvertently overlooked and coincided with Respondent's counsel traveling to California for a family matter.
3. Respondent has filed her Initial Brief and Designation of matter herewith upon notice from the Court that same were delinquent.

For the foregoing reasons, Respondent asks that this Court accept her Initial Brief and Designation of matter as filed.

Respectfully submitted,



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July 26, 2019

Attorneys for Respondent

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Proof of Service

The undersigned hereby certifies that on the date shown below, he has served a copy of the Motion to File Initial Brief and Designation of Matter out of Time on Appellant by depositing a copy of the same into the United States Mail, first-class postage prepaid, addressed as follows:

Isaac Smith, Jr.
2916 ¼ W. Vernon Avenue
Los Angeles, CA 90008


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July 26, 2019

Law Office of
ADAM T. SILVERNAIL
LLC

July 26, 2109

By Hand-delivery:
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: *Smith v. Newton*
Appellate Case No. 2018-002167

Dear Ms. Kitchings:

In connection with the above-referenced appeal, I enclose the original and one copy of each of the following:

1. Notice of Appearance of Additional Counsel for Respondent, with Proof of Service;
2. Motion to File Initial Brief and Designation of Matter out of time, with Proof of Service;
3. Initial Brief of Respondent, with Proof of Service; and
4. Respondent's Designation of Matter to be Included in the Record on Appeal, with Proof of Service.

Also enclosed is my firm's check for \$50.00 to cover the filing fee for the motion.

I would appreciate your filing the originals and returning the file-stamped copy to me. By copy of this letter, I am serving these documents on the Appellant.

Kind thanks for your assistance with this matter.

Sincerely,



Adam T. Silvernail

Enclosures

Cc: Mr. Isaac Smith, Jr.
2916 ¼ W. Vernon Avenue
Los Angeles, CA 90008

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Columbia, SC 29204