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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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AUG 13 2019

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

The Honorable Jocelyn Newman

Appellate Case No. 2018-001194

G. Allen Rutter, ..... Respondent,

v.

City of Columbia Design/Development Review Commission, ..... Appellant.

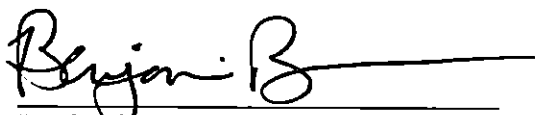
**RESPONDENT'S MOTION FOR AN EXTENSION OF  
TIME TO FILE AND SERVE HIS FINAL BRIEF**

Respondent G. Allen Rutter ("Rutter"), by and through its undersigned counsel, hereby moves pursuant to Rules 211 and 240, SCACR, for a thirty (30) day extension of time to file and serve his Final Brief because the Record on Appeal does not include all matter Rutter designated to be included in the Record. Specifically, it appears the Appellant included a copy of a building permit *application* at pages 107-08, rather than a record of the building permit the City issued for the work. Rutter designated the building permit to be included, cites to the permit in his statement of facts, and therefore needs the permit to be included in the Record so he can prepare and file his Final Brief.

Undersigned counsel certifies that he has corresponded in writing with opposing counsel in an effort to resolve this issue prior to filing it. Given the imminent filing deadline, Rutter hereby

requests a thirty (30) day extension to allow him to either reach an agreement with Appellant resolving the issues with the Record on Appeal or, if the parties cannot agree, to obtain a copy of the building permit from the City and then prepare and file a motion to supplement the record with a proposed appendix pursuant to Rule 212, SCACR.

August 13, 2019



Benjamin C. Bruner, Bar No. 77544  
Chelsea J. Clark, Bar No. 102211  
Bruner, Powell, Wall & Mullins, LLC  
P.O. Box 61110  
Columbia, SC 29260  
(803) 252-7693  
*Attorneys for Respondent*

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

The Honorable Jocelyn Newman

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Docket No.: 2017-CP-40-00850

Appellate Case No. 2018-001194

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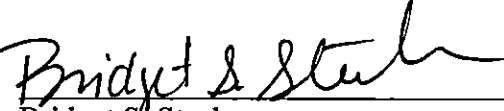
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**PROOF OF SERVICE**

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Pursuant to Rule 240(c)(1), SCACR, the undersigned employee of Bruner, Powell, Wall & Mullins, LLC certifies that she served Respondent's Motion for an Extension of Time upon counsel for Appellant on August 13, 2019 by e-mail and by placing the same in the U.S. Mail, First Class, addressed as below.

Jessica Mangum, Esquire  
Office of the City Attorney  
PO Box 667  
Columbia, SC 29202

  
Bridget S. Steele

August 13, 2019  
Columbia, South Carolina

BRUNER, POWELL, WALL & MULLINS, LLC

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\* ALSO ADMITTED IN DISTRICT OF COLUMBIA  
\*\* OF COUNSEL

AUTHOR'S E-MAIL: [BBRUNER@BRUNERPOWELL.COM](mailto:BBRUNER@BRUNERPOWELL.COM)

August 13, 2019

**VIA HAND DELIVERY**

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

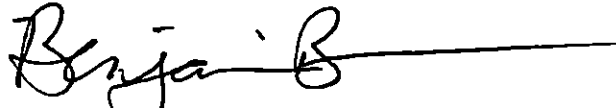
Re: ***G. Allen Rutter v. City of Columbia***  
***Appellant Case No.: 2018-001194***  
**Our File No. 11-2865.100**

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of the *Respondent's Motion for an Extension of time to file and serve his Final Brief* in the above-referenced matter. Also, included is a check in the amount of \$50.00 to cover the fees associated with the filing. Please file the original, clock-in the copy and return it to my courier.

With my kindest regards, I am

Sincerely,

  
Benjamin C. Bruner

BCB/bs  
Enclosure

cc: Jessica R. Mangum, Esq. (w/encl.)

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