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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED  
SEP 13 2019  
S.C. SUPREME COURT

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Benjamin Culbertson, Circuit Court Judge

Circuit Court Case No. 2017-CP-26-05913

RECEIVED  
SEP 13 2019  
SC Court of Appeals

John Kennedy,..... Appellant

v.

Myrtle Beach Police  
Department,..... Respondent

Appellant's Motion to File Notice of Appeal with Appellate Clerk outside of the Ten Day  
Time Limit of Rule 203 of the South Carolina Appellate Court Rules

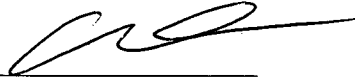
Now Comes Appellant, by and through his undersigned counsel, and respectfully shows as follows:

1. Appellant filed an employment case against the Appellee on September 14, 2017 arising out of the termination of his employment at the Myrtle Beach Police Department.
2. Appellant's case was ultimately dismissed by Circuit Court Judge Benjamin Culbertson on April 23, 2019 based upon Appellee's Motion to Dismiss.
3. Appellant's timely filed a Motion to Reconsider with the Circuit Court which was ultimately denied by Judge Culbertson on July 16, 2019.
4. Appellant's timely filed a Notice of Appeal with the Circuit Court noticing all parties of his Notice of Appeal on August 1, 2019. Although Appellant's filed this Notice with the Circuit Court, Appellant failed to send a copy to the Court of Appeals as required by Rule 203.
5. Nevertheless, despite failing to send a copy of the Notice of Appeal to the Court of Appeals, both the Circuit Court and all parties to the Appeal are on notice of the Appeal and fully aware of when the Notice of Appeal was filed as they were timely served. As all parties are on notice of the existence of the Appeal no party will be prejudiced by the Appeal going forward as noticed at the Circuit Court level.

**Wherefore**, Appellant's Counsel, respectfully requests that this Honorable Court, allow Notice of this Appeal to be filed with this Court outside of the ten day time limit of Rule 203 of

the South Carolina Appellate Court rules and that the Appeal of this case be allowed to proceed as noticed at the Circuit Court level.

Sincerely,



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Attorneys for Appellants

August 30, 2019