

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2017-CP-40-00988
Appellate Case No. 2019-00920

Don Weaver.....Appellant,

vs.

Recreation District, Recreation Commission of Richland County, Paul Brawley, as Auditor of
Richland County, David A. Adams, as Treasurer of Richland County.....Respondents.

MOTION TO FILE FINAL BRIEF
OF RESPONDENTS OUT OF TIME

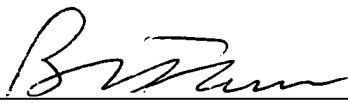
Respondents, by and through the undersigned attorney, respectfully move to file their
Final Brief out of time.

Respondents have solely ministerial duties implicated in the disposition of this case, and
have taken no substantive position on the issues therein. Respondents filed an Initial Brief
advising the Court and the parties of its absence of a substantive position for purposes of
completeness of the record. Having filed an Initial Brief, pursuant to the Court's rules

Respondents should file a Final Brief. Respondents' Final Brief is identical to their Initial Brief except for its title, and includes no citations to the Record on Appeal. The basis for filing it out of time is that the Record on Appeal apparently was served on Respondents during a time when their counsel was on military duty with the U.S. Marines in Quantico, Virginia and Arlington, Virginia. Upon return from duty, the Record on Appeal had been placed in the file but not called to Respondents' counsel's attention during the course of Respondents' internal mail system. This is not an excuse but an explanation. Respondents crave reference to S.C.Code Ann. Section 25-1-2260 and the Servicemembers Civil Relief Act in support of this motion.

Respectfully Submitted,

RICHLAND COUNTY ATTORNEY'S OFFICE

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ATTORNEY FOR RESPONDENTS
PAUL BRAWLEY, AS AUDITOR
OF RICHLAND COUNTY, AND
DAVID A. ADAMS, AS TREASURER
OF RICHLAND COUNTY

Columbia, South Carolina
November 19, 2019

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PROOF OF SERVICE

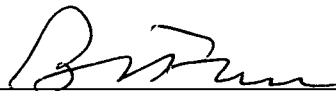
I certify that I served Respondents' Motion to File Final Brief Out of Time in the above-captioned case on November 19, 2019, by United States mail, postage paid, to counsel for the parties known to Respondents to the following addresses:

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