

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court Of Common Pleas

The Honorable Doyet A. Early, III, Circuit Court Judge  
The Honorable L. Casey Manning; Circuit Court Judge  
Trial Court Case 2010CP4004900

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RECEIVED  
NOV 26 2019  
SC Court of Appeals

Appellate Case No.2018-002229

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Russell L. Bauknight, as Trustee of the James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B.II; Daryl J. Brown, individually and on behalf of his minor child Janise B; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown,

And

Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown - Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown,  
..... Respondents,

v.

Adele J. Pope and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is the Appellant.

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**MOTION OF ATTORNEY GENERAL FOR EXTENSION OF TIME  
TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER FOR THE RECORD**

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Subject to the Order dropping the Attorney General as a party to the case<sup>1</sup>, the Attorney General respectfully requests that this Court extend the time for filing the Attorney General's initial brief and designation of matter for the record to January 9, 2020. This Court denied his Motion to Strike Appellant's amended initial brief and designation by Order filed November 22, 2019, which we received on November 25. The Order did not set a time for filing the Attorney General's brief, but 30 days after the 22nd would be December 23 when counsel will be on leave. Counsel will not return to the Office until January 2. Although undersigned counsel had begun writing the Attorney General's initial brief, he stopped doing so when he filed the Motion to Strike because of the issues it raised about the contents of Appellant's initial brief and designation. Now that the material has not been struck, those contents will need to be addressed in the Attorney General's brief. Because of undersigned counsel's court hearings, other deadlines, the Thanksgiving, Christmas, and New Years Day holidays, and family travel during this period, the Attorney General requests that the deadline for filing his initial brief and designation be extended to January 9.

Prior to filing the Motion to Strike, the Attorney General previously requested and received consent for a five day extension of time for filing his brief and designation. The Motion to Strike included a request that briefing deadlines be stayed or held in abeyance while that motion was considered. Similarly, he respectfully requests that the current deadlines for filing the initial brief and designation be held in abeyance while this extension motion is considered.

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<sup>1</sup> Before the circuit court granted summary judgment for the Plaintiffs as to Appellant's counterclaim (R. p. \* - Order dated June 23, 2017, and filed July 8, 2017), the Court dropped the Attorney General as a party to this case. (Order dated May 31, 2017, and filed June 12, 2017). The Order dropping him is a subject of Appeal 2017-1899, and is included in the Record in that case. The Attorney preserves and does not waive any arguments he made regarding his being dropped as a party to this case.

Undersigned counsel has emailed counsel for Appellant as to whether he will consent to this extension, but he has not yet received a response.

Respectfully submitted,

ALAN WILSON  
Attorney General

ROBERT D. COOK  
Solicitor General  
S.C. Bar No. 1373

J. EMORY SMITH, JR.  
Deputy Solicitor General  
S.C. Bar No. 5262

BY: 

ATTORNEYS FOR RESPONDENT  
ATTORNEY GENERAL

November 26, 2019

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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And

Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown - Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown,  
..... Respondents,

v.

Adele J. Pope and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is the Appellant.

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**CERTIFICATE OF SERVICE**

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I hereby certify that I have served the Attorney General's Motion for Extension of Time

to file his Initial Brief and Designation on counsel for the other parties by mailing copies to them  
at the addresses below via the United States Mail this November 26, 2019:

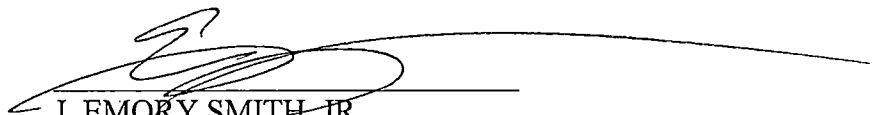
Adam T. Silvernail, Esquire  
Law Office of Adam T. Silvernail  
P.O. Box 7995  
Columbia, South Carolina 29201

Kenneth B. Wingate, Esquire  
Mark V. Gende, Esquire  
Sweeny Wingate & Barrow, P.A.  
P.O. Box 12129  
Columbia, SC 29211

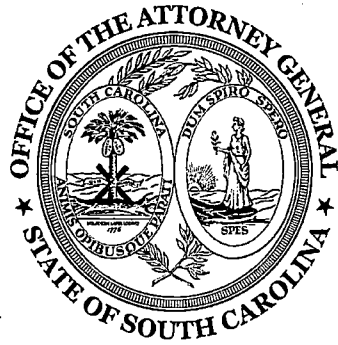
William Jeffrey Smith, Esquire  
1216 Crenshaw Street  
Newberry, SC 29108

Daryl L. Williams, Esquire  
Gertz & Moore, LLP  
P.O. Box 456  
Columbia, SC 29202

Charles E. Carpenter, Jr., Esquire  
Carpenter Appeals & Trial Support, LLC  
4825 Portobello Road  
Columbia, SC 29206



J. EMORY SMITH, JR.  
Deputy Solicitor General  
S.C. Bar No. 5262  
Counsel for the Attorney General



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SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

November 26, 2019

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
HAND DELIVERY

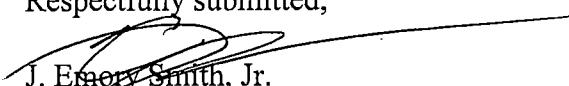
Re: Bauknight v. Pope, Appellate Case No. 2018-002229  
Request for Extension of Time

Dear Ms. Kitchings:

Enclosed for filing with your Office are the original and six copies of the Attorney General's Office Motion for Extension of Time to serve and file his initial brief and designation in this case together with a certificate of service.

Thank you for your assistance.

Respectfully submitted,

  
J. Emory Smith, Jr.  
Deputy Solicitor General  
Counsel for the Attorney General

cc: Charles E. Carpenter, Jr., Esquire                      Mark V. Gende, Esquire  
Adam T. Silvernail, Esquire  
William Jeffrey Smith, Esquire  
Daryl L. Williams, Esquire  
Kenneth B. Wingate, Esquire