

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

FEB 22 2013

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

The Honorable J.C. Nicholson, Jr., Circuit Court Judge

S.C. Supreme Court

Case No. 2012-CP-08-2329

Robert O. Call, Jr., Appellant-Plaintiff,

v.

Berkeley County Republican Party (Timothy Callanan, as Chairman); South Carolina Republican Party (Matt Moore, as Executive Director, and Chad Connolly, as Chairman); Berkeley County Election Commission; South Carolina Election Commission (Marci Andino, as Executive Director, and Chris Whitmire as Director of Public Information and Training); Timothy Callanan and Kenneth Gunn, Defendants,

MOTION TO FILE OUT OF TIME

James E. Smith, Jr., counsel for Appellant Robert O. Call respectfully shows the Court that:

1. The transcript was received on January 15, 2013, setting the initial brief due February 14, 2013.
2. Additional time is needed due to case load and legislative schedule. As such, counsel for Appellant seeks a modest extension of time of thirty days to complete the Initial Brief setting an extended due date of March 15, 2013.
3. Counsel for the South Carolina State Election Commission consents to the relief requested.

WHEREFORE the Appellate Robert O. Call, by and through his undersign counsel, respectfully prays the Court for a thirty day extension to complete the Initial Brief setting an extended due date of March 15, 2013.

I SO MOVE,

Respectfully submitted,

James E. Smith, Jr., S.C. Bar No. 8733
James@JamesSmithPA.com
Dylan W. Goff S.C. Bar No. 78416
Dylan@jamesmithpa.com
JAMES E. SMITH, JR., P.A.
1422 Laurel Street
Columbia, South Carolina 29201
(803) 933-9800

By: 
Attorneys for Appellant Robert Call

February 21, 2013
Columbia, South Carolina
Other Counsel:

M. Elizabeth Crum, Esq.
McNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, SC 29211
(803) 799-9800

Samuel W. Howell, IV, Esq.
Howell Linkous & Nettles, LLC
106 Broad Street
Charleston, SC 29401
(843) 266-3800
samhowell@bond-law.com

Robert Bolchoz, Esq.
Robert Bolchoz, LLC
P.O. Box 6989
Columbia, SC 29260
(803) 790-7474
robert@bolchoz.com

Ashley Anne Kutz, Esq.
Womble Carlyle Sandridge & Rice, LLP
5 Exchange Street
Charleston, SC 29401
(843) 720-4679
akutz@wcsr.com

Kenneth E. Gunn
212 Palmetto Village Circle
Moncks Corner, SC 29461

Timothy Callanan
7009 Schooner Street
Daniel Island, SC 29461