

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM YORK COUNTY
IN THE COURT OF COMMON PLEAS
D. Garrison Hill, Circuit Court Judge
S. Jackson Kimball, III, Special Circuit Court Judge

Appellate Case No. 2019-002074

Opinion No. 5684
(S.C. Ct. App. Filed September 11, 2019)

RECEIVED

FEB 05 2020

SC Court of Appeals

LUCILLE H. RAY,

RESPONDENT,

v.

CITY OF ROCK HILL, SOUTH CAROLINA,
A MUNICIPAL CORPORATION, AND THE
SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION, AN AGENCY OF THE
STATE OF SOUTH CAROLINA.


PETITIONER.

Of Which City of Rock Hill is Petitioner.

Appellate Case No. 2019-002074

MOTION FOR EXTENSION OF TIME

Dated: February 5, 2020


Richard B. Fennell
S.C. Bar No. 10467
James, McElroy & Diehl, P.A.
525 N. Tryon Street, Suite 700
Charlotte, NC 28202
Telephone: (704) 372-9870
Attorneys for Respondent

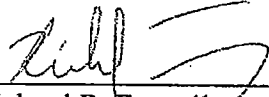
Respondent Lucille Ray (“Respondent”) moves the Court for an extension of time to serve and file the Return to the Petition for Writ of Certiorari and Appendix (collectively, “Return”) filed in the matter referenced above. The petition was filed on January 13, 2020, and the Return is due on February 12, 2020.

Counsel for Respondent respectfully requests an extension of nine days, or until February 21, 2020, for Respondent to file and serve the Return because of competing deadlines and work conflicts, and because Respondent needs additional time to prepare her Return.

WHEREFORE, Respondent respectfully requests a nine day extension of time until February 21, 2020 in which to serve and file her Return to the Petition for Writ of Certiorari and Appendix filed by the City of Rock Hill.

Dated: February 5, 2020
Charlotte, North Carolina

JAMES, McELROY & DIEHL, P.A.

By: 
Richard B. Fennell
S.C. Bar No. 10467
rfennell@jmdlaw.com
525 N. Tryon Street, Suite 700
Charlotte, NC 28202
Telephone: (704) 372-9870
Facsimile: (704) 333-5508
Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM YORK COUNTY
IN THE COURT OF COMMON PLEAS
D. Garrison Hill, Circuit Court Judge
S. Jackson Kimball, III, Special Circuit Court Judge

Appellate Case No. 2019-002074
Opinion No. 5684
(S.C. Ct. App. Filed September 11, 2019)

RECEIVED

FEB 05 2020

SC Court of Appeals

LUCILLE H. RAY,

RESPONDENT,

v.

CITY OF ROCK HILL, SOUTH CAROLINA,
A MUNICIPAL CORPORATION, AND THE
SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION, AN AGENCY OF THE
STATE OF SOUTH CAROLINA.


PETITIONER.

Of Which City of Rock Hill is Petitioner.

PROOF OF SERVICE

I certify that I have this day served Respondent Lucy H. Ray's Motion for Extension of Time and Memorandum of Law in support by first class mail, on Petitioner City of Rock Hill, addressed to its attorney of record, W. Mark White, Spencer & Spencer, P.A., 226 East Main Street, Suite 200, Rock Hill, SC 29731.

Dated: February 5, 2020.


Richard B. Fennell
S.C. Bar No. 10467
James, McElroy & Diehl, P.A.
525 N. Tryon Street, Suite 700
Charlotte, NC 28202
Telephone: (704) 372-9870
Attorneys for Respondent

JAMES, McELROY & DIEHL, P.A.
525 NORTH TRYON STREET STE 700
CHARLOTTE, NORTH CAROLINA 28202
Telephone: 704 372-9870
Facsimile: 704 333-5508
704 342-5858

DATE: 05 Feb 2020 16:08

TO: +18037341839

FROM: BHensley@jmdlaw.com


TOTAL NUMBER OF PAGES (including cover sheet): 7

The material transmitted and communicated herein ("communication") is intended only for the use of the individual or entity to which it is addressed, and may contain information that constitutes work product, or is subject to attorney-client privilege, or is confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

MESSAGE:
Please see the attached letter, along with the referenced Motion for Extension of Time in the matter referenced above.

Thank you.

Randi

Randilyn C. Hensley
Legal Assistant to Adam L. Ross,
Jon P. Carroll and Christopher T. Hood
 **JAMES McELROY & DIEHL, P.A.**
ATTORNEYS AT LAW
525 North Tryon Street, Suite 700
Charlotte, NC 28202
Telephone: (704) 372-9870
Direct: (704) 348-5013
Facsimile: (704) 333-5508
hensley@jmdlaw.com

RECEIVED

FEB 05 2020

SO Court of Appeals

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that constitutes work product, or is subject to attorney-client privilege, or is confidential and exempt from disclosure under applicable law. If you are not the intended recipient of this communication, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.



Richard B. Fennell
rfennell@jmdlaw.com

Paralegal: Sabrina Williams
Email: swilliams@jmdlaw.com

February 5, 2020

VIA FEDERAL EXPRESS OVERNIGHT DELIVERY

The Honorable Daniel E. Shearouse
South Carolina Supreme Court
Clerk of Court
1231 Gervais Street
Columbia, SC 29201

RECEIVED

FEB 05 2020

SC Court of Appeals

Re: Lucille H. Ray v. City of Rock Hill, et al.
Appellate Case No. 2019-002074

Dear Mr. Shearouse:

Enclosed please find an original and seven (7) copies of Respondent Lucille H. Ray's Motion for Extension of Time in the matter referenced above. Please file the original and six copies with the records of the Court and return a clocked copy to my attention in the enclosed envelope. The filing fee check payable to the Clerk of Supreme Court of South Carolina in the amount of \$50.00 is also enclosed.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard B. Fennell', with a large, stylized flourish extending to the right.

Richard B. Fennell

cc: Mark White (via first class mail with enc.)
The Honorable Jenny Abbott Kitchings, Clerk of Court of Appeals (via Fax:
803-734-1839)