

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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

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Appellate Case No. 2019-002074

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

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**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

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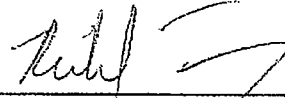
**MEMORANDUM IN SUPPORT OF MOTION FOR EXTENSION OF TIME**

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Respondent Lucille Ray (“Respondent”) shows the Court that the time to serve and file her Return to the Petition for Writ of Certiorari and Appendix (collectively, “Return”) has not yet expired, as Petitioner filed its petition on January 13, 2020. Respondent requires additional time to prepare her Return, in part due to undersigned counsel’s competing deadlines and work conflicts. Pursuant to Rules 240 and 263(b), SCACR, Respondent respectfully moves the Court to extend the time to file her Return by an additional nine days, up to and including February 21,

2020. Counsel for Petitioner consents to this motion.

Dated: February 5, 2020  
Charlotte, North Carolina



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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*

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Of Which City of Rock Hill is Petitioner.


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PROOF OF SERVICE

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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*

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,



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)