

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2019-001382
Case No. 2017-CP-42-03726

Raquel Martinez, Employee, Respondent,

v.

Spartanburg County, Employer,
and South Carolina Association of Counties
Self-Insurance Fund, Carrier, Appellants.

**MOTION FOR EXTENSION OF TIME
TO FILE APPELLANTS' INITIAL BRIEF**

In accordance with Rule 240, SCACR, and Rule 263(b), SCARC, Appellants Spartanburg County and South Carolina Association of Counties Self-Insurance Fund hereby request a 14-day extension to file Appellants' Initial Brief and Designation of Matter.

1. On January 15, 2020, this Court issued an Order denying Appellant's petition for a writ of certiorari in this Court's original jurisdiction. (*See* Attachment A).

2. In a separate Order, also filed on January 15, 2020, this Court certified this case for review pursuant to Rule 204(b), SCACR, and lifted the stay that was previously imposed by the Court of Appeals. (*See* Attachment B). Per the January 15, 2020 Order, Appellants' Initial Brief and Designation of Matter is due on February 14, 2020. *Id.*

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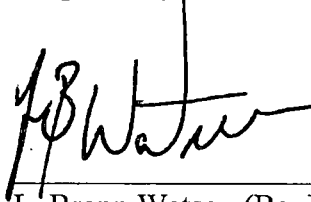
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3. However, due to Appellants' counsel's recent scheduling demands, and given the lengthy procedural history of this claim¹, the number of Orders involved on this appeal, the constitutional issues raised by Appellants, Appellants respectfully request an extension of time of fourteen (14) days to file their Initial Brief and Designation of Matter.

4. In this regard, I would confirm that Kevin Holmes Counsel for Respondent, has advised he has no objection to Appellants receiving this extension.

Respectfully submitted,



L. Brenn Watson (Bar No. 71198)
Willson Jones Carter & Baxley, P.A.
872 S. Pleasantburg Drive
Greenville, South Carolina 29607
(864) 527-3292
Attorney for Appellants

Date: February 14, 2020

¹ This matter involves a workers' compensation claim from an incident that occurred on April 4, 2005, nearly fifteen (15) years ago. Since the Single Commissioner issued his Decision & Order in 2006, the case has gone up and down the appellate chain. The SCWCC Appellate Panel has issued three separate Decision & Orders, and the case has been appealed to the Circuit Court on three (3) separate occasions and to the Court of Appeals on three (3) occasions. In addition this Court previously granted a writ of certiorari and heard arguments in this matter in 2013. *See Martinez v. Spartanburg County*, 406 S.C. 532, 753 S.E.2d 436 (2014).

Raquel Martinez v. Spartanburg County

Appellate Case No. 2019-001382

Motion for Extension of Time to File Appellant's Initial Brief

Attachment

A

The Supreme Court of South Carolina

Raquel Martinez, Respondent,

v.

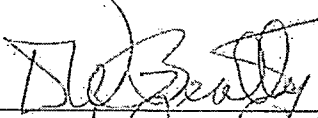
Spartanburg County and S.C. Association of Counties
Self-Insurance Fund, Petitioners.

Appellate Case No. 2019-001388

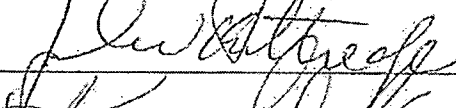
Lower Court Case No. 2017-CP-42-03726

ORDER

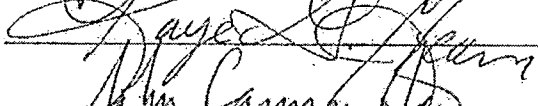
Petitioners have filed a petition for a writ of certiorari in this Court's original jurisdiction. The petition is denied. *See Lafitte v. Bridgestone Corp.*, 381 S.C. 460, 471, 674 S.E.2d 154, 160 (2009) (holding this Court will issue a writ of certiorari in its original jurisdiction only when exceptional circumstances exist); *see also Key v. Currie*, 305 S.C. 115, 116, 406 S.E.2d 356, 357 ("Only when there is an extraordinary reason such as a question of significant public interest or an emergency will this Court exercise its original jurisdiction.").



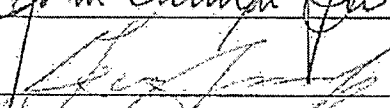
C.J.



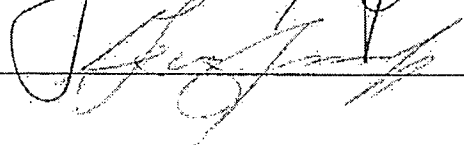
J.



J.



J.



J.

Columbia, South Carolina

January 15, 2020

cc:

James K. Holmes, Esquire

David T. Pearlman, Esquire

Chadwick Dean Pye, Esquire

Lawson Brenn Watson, Esquire

Zachary McIver Smith, Esquire

The Honorable Jenny Abbott Kitchings, Esquire

The Honorable Amy W. Cox

Raquel Martinez v. Spartanburg County

Appellate Case No. 2019-001382

Motion for Extension of Time to File Appellant's Initial Brief

Attachment B

The Supreme Court of South Carolina

Raquel Martinez, Respondent,

v.

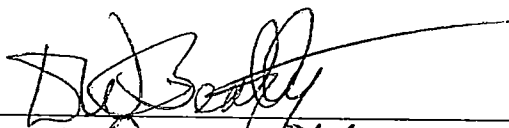
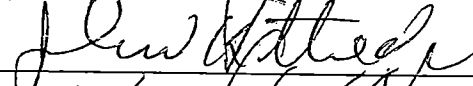

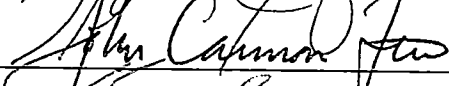
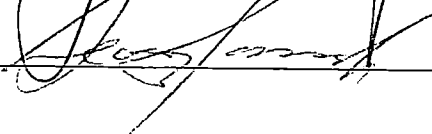
Spartanburg County and S.C. Association of Counties
Self-Insurance Fund, Appellants.

Appellate Case No. 2019-001382
Lower Court Case No. 2017-CP-42-03726

ORDER

Pursuant to Rule 204(b), SCACR, this matter is hereby certified for review by the Supreme Court of South Carolina.

Because the Court has denied Appellant's request for a writ of certiorari, the ninety (90) day stay imposed by the Court of Appeals is lifted. Appellants have filed a motion for an extension of time to serve and file their initial brief and designation of matter. The motion is granted, and Appellants shall file their initial brief and designation of matter within thirty (30) days of the date of this order.

	C.J.
	J.
	J.
	J.
	J.

Columbia, South Carolina

January 15, 2020

cc:

James K. Holmes, Esquire

David T. Pearlman, Esquire

Chadwick Dean Pye, Esquire

Lawson Brenn Watson, Esquire

Zachary McIver Smith, Esquire

The Honorable Jenny Abbott Kitchings, Esquire

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Insurance Fund, Carrier, Appellants.

PROOF OF SERVICE

I certify that I have served the Appellants' Motion for Extension of Time to File Appellants' Initial Brief on Respondent Raquel Martinez by depositing a copy of it in the United State Mail, postage prepaid, on February 14, 2020, addressed to her attorneys of record, Chadwick D. Pye, Esquire, Chadwick D. Pye, LLC, P.O. Box 6346, Spartanburg, South Carolina 29304 and J. Kevin Holmes, Esquire & David T. Pearlman, Esquire, The Steinberg Law Firm, P.O. Box 9, Charleston, South Carolina 29402-0009.

February 14, 2020



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Attorney for Appellants