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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Case No. 2019-001032

RECEIVED

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

FEB 07 2020

SC Court of Appeals

Edgar W. Dickson, Circuit Court Judge
Case No.: 2018-CP-38-00766

Caleb Snow and Mary Snow, as P.R. of the Estate of Chequita Snow
Burgess, deceased.....Plaintiffs,

v.

James Burgess, Michael Scott and Heike Scott,Defendants,

v.

Michael Scott and Heike Scott Third-Party Plaintiffs are the
Appellants,

v.

Eugene Rhinehart,.....Third-Party Defendant, Respondent.

MOTION FOR PERMISSION TO FILE OUT OF TIME


Pursuant to Rule 240, SCACR, counsel for the Appellants, hereby move for an Order allowing the filing of the Appellants' Certification of the Record on Appeal to be filed out-of-time. The grounds for this motion are set forth as follows:

- 1) The Record on Appeal which was timely filed contained the undersigned's certification as required by Rule 210(g), SCACR. However, through oversight, the certification had not been signed.

2) The undersigned received notice of the deficiency by this Court's letter dated February 4, 2020.

WHEREFORE Appellants' counsel prays for an Order allowing the to file the Certification out-of-time. The original and required copies of the Certification are being submitted contemporaneously with this motion.

RILEY, POPE & LANEY, LLC



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Counsel for the Appellants

Columbia, South Carolina
February 7, 2020

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v.

Eugene Rhinehart,.....Third-Party Defendant, Respondent.

CERTIFICATE OF SERVICE

This is to certify that I have this day caused to be served upon the persons
named below copies of the **Motion for Permission to File Out-of-Time and Rule
210(g), SCACR, Certification of Counsel** via United States mail, first-class postage
prepaid, to the following:

John Robert Murphy, Esquire
Sarah E. Caiello, Esquire
Murphy & Grantland, P.A.
P.O. Box 6648
Columbia, SC 29260
Phone: (803) 782-4100
Attorney for Eugene Rhinehart

RILEY, POPE & LANEY, LLC



Monique Trifos

February 7, 2020

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February 7, 2020

HAND DELIVERED

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED

FEB 07 2020

SC Court of Appeals

Re: Caleb Snow and Mary Snow, as Personal Representatives for the Estate of Chequita Snow Burgess, Deceased v. James Burgess and Michael Scott and Heike Scott,
v.
Michael Scott and Heike Scott, Third Party Plaintiffs
v.
Eugene Rhinehart, Third Party Defendant.
Appeal No.: 2019-001032
File No.: 5167.01118

Dear Ms. Kitchings:

Please find enclosed for filing the following:

- one (1) original unbound and seven (7) copies of a Motion for Permission to File Out-of-Time;
- my firm's check in the amount of \$50.00 for the filing fee.
- one (1) original and two (2) copies of the Certification of Counsel as required by Rule 210(g), SCACR;
- one (1) original and one (1) copy of the Certificate of Service.

Please return a filed copy of each with my courier. Thank you for your kind assistance in this matter.

Sincerely,



Damon C. Wlodarczyk

DCW/mwt

Enclosures

cc: Stephen H. Cook, Esquire (w/o enclosures)
David N. Truitt, Esquire (w/o enclosures)
Sonja R. Tate, Esquire (w/o enclosures)
John Robert Murphy, Esquire