

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

FEB 27 2020

APPEAL FROM EDGEFIELD COUNTY  
Court of Common Pleas  
G. Thomas Cooper, Jr., Circuit Court Judge

**SC Court of Appeals**

Case No. 2016-CP-19-00168

Appellate Case No. 2019-001689

Bettis C. Rainsford, .....Appellant,

v.

Apex Bank, Jim Clayton, Matt Daniels, and Brad Hailey, .....Defendants,

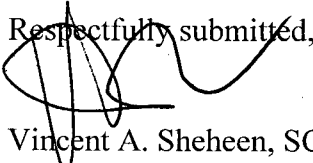
Of whom, Matt Daniels and Brad Hailey are the .....Respondents.

**RETURN TO RESPONDENTS' MOTION TO DISMISS**

Appellant Bettis C. Rainsford, by and through the undersigned counsel, submits this Return to the Motion to Dismiss filed by Respondents Matt Daniels and Brad Hailey on February 14, 2020. Appellant respectfully requests the Court deny Respondents' Motion. By Order of the Court on December 30, 2019, the deadline for Appellant's initial brief was extended until February 10, 2020. However, on January 23, 2020, Appellant filed a motion to relieve his former counsel and substitute the undersigned, which was granted on February 7, 2020. On February 4, 2020, six days before the deadline of Appellant's initial brief, Appellant filed a letter requesting additional time to file and serve the initial brief due to the legislative obligations of the undersigned. In support of this Motion for Extension of Time, Appellant attached the Order of Chief Justice Donald Beatty which grants lawyer-legislatures, like the undersigned, absolute protection from court appearances during any regular or special session of the General

Assembly. Appellant's February 4, 2020 letter was an extension of time properly filed with the Court prior to the deadline of Appellant's initial brief. Appellant's proper Motion stayed the deadline of the initial brief until the Court has a chance to rule on Appellant's motion. Therefore, Respondents' assertion that Appellant failed to properly file his initial brief within the deadline is incorrect. Accordingly, Appellant respectfully requests the Court deny Respondents' Motion to Dismiss and grant his motion for an extension of time to file his initial brief in accordance with Chief Justice Beatty's Order.<sup>1</sup>

Respectfully submitted,

  
Vincent A. Sheheen, SC Bar No. 11552  
Savage, Royall and Sheheen, LLP  
Post Office Drawer 10  
Camden, South Carolina 29020  
(803) 432-4391  
VSheheen@thesavagefirm  
Counsel for Appellant

February 26, 2020.

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<sup>1</sup> Appellant requests the Court accept this Return in its discretion pursuant to Rule 240(e) of the South Carolina Appellate Court Rules.

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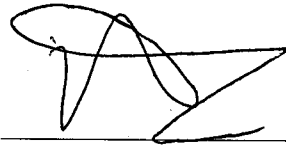
**CERTIFICATE OF SERVICE**

I certify that a true copy of the Return to Motion to Dismiss in this case has been served on the following, this 26th day of February, 2020, by depositing a copy of it in the United States Mail, postage pre-paid:

James H. Cassidy  
Joshua Jennings Hudson  
Ross Buchanan Plyler  
Roe Cassidy Coates & Price, P.A.  
1052 N. Church St.  
Greenville, South Carolina 29601  
Attorneys for Respondents and Defendant Apex Bank

H. Freeman Belser  
Michael J. Polk  
Belser & Belser, P.A.  
P.O. Box 96  
Columbia, South Carolina 29202  
Attorneys for Defendant Jim Clayton

(Signature page follows)



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Vincent A. Sheheen, SC Bar No. 11552  
Savage, Royall and Sheheen, LLP  
Post Office Drawer 10  
Camden, South Carolina 29020  
(803) 432-4391  
VSheheen@thesavagefirm

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