

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Walton J. McLeod, Circuit Court Judge

RECEIVED
MAY 14 2020
SC Court of Appeals

CASE NO. 09-CP-40-01307
CASE NO. 13-CP-40-02159

Frieda H. Dortch, Appellant,

v.

City of Columbia, Planning & Development Services/Zoning Division a/k/a City of Columbia
Board of Zoning Appeals, Respondent.

MOTION FOR ADDITIONAL ONE-DAY EXTENSION OF TIME
TO FILE INITIAL REPLY BRIEF

M. Baron Stanton (S.C. Bar #7970)
STANTON LAW OFFICES, P.A.
1728 Main Street (29201)
P. O. Box 245
Columbia, SC 29202
803-929-1484
bstanton@stantonlaw.com

ATTORNEY FOR APPELLANT
FRIEDA H. DORTCH

Appellant Dortch moves the Court pursuant to Rule 263 (b), SCACR and S.C. Sup. Ct. Ord. 2020-03-20-1, for an order granting an extension of an additional one (1) day in which to file the Initial Reply Brief and Additional Designation of Matter, which are filed at the same time as this motion. The current deadline, based on the assumed grant of a previous 10-day extension, is May 7, 2020. Opposing counsel has not been consulted due to time constraints to get this motion in along with the referenced papers and allow for quarantine upon arrival.

The grounds for this motion, which, in lieu of separate affidavit, the undersigned hereby affirms under penalty of perjury are correct, are that good cause exists, to wit, despite efforts of undersigned counsel to finalize the work and complete the filing, short staffing and new issues during the COVID-19 emergency precautions, and mechanical/technological issues, to wit, a computer lockout after a restart, delayed the task. The undersigned attempted to complete the filing within a few hours after the deadline by filing by fax as planned under the temporary filing rules in effect, but fax issues on one end of the line or the other (and possibly also feeder issues) prevented the filing by fax. Instead of filing by fax, the subject papers and this motion are simply being submitted by mail.

For the foregoing reasons Appellant Dortch requests until May 8, 2020 to file the brief and additional designation, which are filed herewith.

Respectfully submitted,

s/M. Baron Stanton
M. Baron Stanton
STANTON LAW OFFICES, P.A.
1728 Main Street
P. O. Box 245
Columbia, South Carolina 29202
803-929-1484

SWORN to me this May 8th, 2020

Aminda S. Davis
Notary Public for S.C. (My comm'n exp. 9/28/23)

ATTORNEY FOR APPELLANT
FRIEDA H. DORTCH

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CASE NO. 09-CP-40-01307
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Frieda H. Dortch, Appellant,

v.

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Board of Zoning Appeals, Respondent.

CERTIFICATE OF SERVICE

I, M. Baron Stanton, do hereby certify that I have, on May 8, 2020 served the foregoing
Motion for Additional One-Day Extension of Time to File Initial Reply Brief upon the
Respondent by causing a copy thereof to be e-mailed as indicated in the attached e-mail copy
pursuant to S.C. Sup. Ct. Ord. 2020-03-20-1, to the address indicated below:

peteb@rplfirm.com
(Peter M. Balthazor, Esquire)

s/M. Baron Stanton
M. Baron Stanton

B stanton

From: B stanton <bstanton@stantonlaw.com>
Sent: Friday, May 8, 2020 2:02 PM
To: 'Pete Balthazor'
Subject: RE: Dortch v. City Motion For Additional One-day Extension and Motion to Strike and to Leave With Circuit Court
Attachments: Scanned Dortch Motion for Additional One-Day Extension on Reply Brief and Addl DOM.pdf; Scanned Motion to Strike and For Leave.pdf

Pete, attached are a motion for an additional one-day extension on our brief and additional designation, already sent to you, and motion to strike and to leave material on file with the Circuit Court, which we are hereby serving.

Best,

Barry

Cell 803-530-2642
Offc. 803-9291484
POB 245
Cola., SC 29202

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STANTON LAW OFFICES, P.A.

POST OFFICE BOX 245

COLUMBIA, SOUTH CAROLINA 29202

May 8, 2020

1728 MAIN STREET
COLUMBIA, SOUTH CAROLINA 29201

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

TELEPHONE 803-929-1484
TELECOPIER/FAX 803-929-0534

M. BARON STANTON
ATTORNEY AT LAW

Re: **Frieda H. Dortch**, Appellant v. City of Columbia, Planning & Development
Services/Zoning Division a/k/a City of Columbia Board of Zoning Appeals,
Respondent
Case No. 09-CP-40-1307
Case No. 13-CP-40-02159
Appellate Case No. 2019-000868

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SC Court of Appeals

Dear Ms. Kitchings:

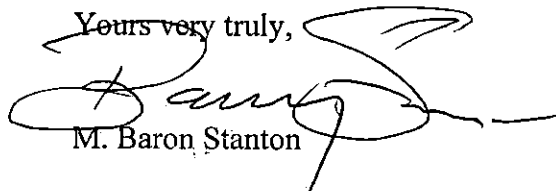
We enclose the following:

1. Initial Appellant's Reply Brief, including proof of service.
2. Appellant's Additional Designation of Matter to Be Included in the Record on Appeal, including proof of service;
3. Motion for Additional One-Day Extension to file the above documents, including proof of service;
4. Motion to Strike and to Leave Matter With the Circuit Court, including proof of service;
5. A check for the \$50.00 filing fee for item. 4; and
6. Vestiges of our attempt to fax items 1. and 2. last night, which you may discard if you wish.

Thank you for your assistance.

With kind regards,

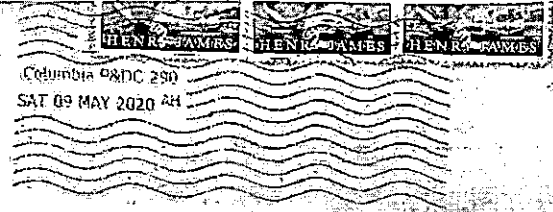
Yours very truly,



M. Baron Stanton

MBS:dmy
Enclosure

STANTON LAW OFFICES, P.A.
178 MAIN STREET • POST OFFICE BOX 245
COLUMBIA, SOUTH CAROLINA 29202
#3322-1434



STANTON LAW OFFICES, P.A.
Post Office Box 245
COLUMBIA, SOUTH CAROLINA 29202

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The Honorable Jenny Abbott Kitchings
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