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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

RECEIVED
MAY 14 2020
SC Court of Appeals

Appellate Case No.: 2019-002099

Machelle Smith.....Appellant,

-v-

Columbia Sussex Corporation d/b/a Hilton Head Marriott Resorts and Spa;
Columbia Sussex Management, LLC; and,
Columbia Properties Hilton Head, LLC.....Respondents

**MOTION TO FILE RETURN TO RESPONDENTS'
MOTION TO DISMISS OUT OF TIME**

Pursuant to Rule Rule 240 and Rule 263, SCACR, Appellant Machelle Smith (“Appellant”) respectfully moves this Court for an Order permitting her to file a Return to Respondents Columbia Sussex Corp. d/b/a Hilton Head Marriott Resorts and Spa, Columbia Sussex Management, LLC, and Columbia Properties Hilton Head, LLC’s Motion to Dismiss Appeal. The Return to Respondents’ Motion to Dismiss Appeal was due to be filed and served March 29, 2020. Appellant respectfully requests permission to file her Return to Respondents’ Motion to Dismiss Appeal out of time. This request is being made due to the resignation of Appellant’s counsel and the transfer of Appellant’s case to new counsel below.

[SIGNATURE PAGE TO FOLLOW]

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

May 7, 2020
Hampton, South Carolina

BY:  _____

John E. Parker, Jr.
101 Mulberry St. East
P.O. Box 457
Hampton, SC 29924
Phone: (803) 943-2111
jayparker@pmped.com
ATTORNEY FOR THE APPELLANT

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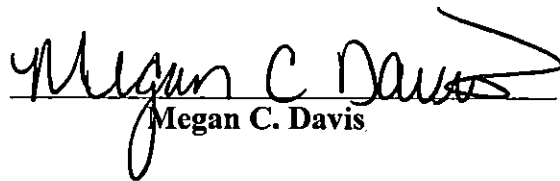
Columbia Sussex Corporation d/b/a Hilton Head Marriott Resorts and Spa;
Columbia Sussex Management, LLC; and,
Columbia Properties Hilton Head, LLC.....Respondents

CERTIFICATE OF SERVICE

This is to certify that I, **Megan C. Davis**, with the Law Firm of Peters, Murdaugh, Parker, Eltzroth & Detrick, P.A., Attorney for the Appellant, have this date mailed via the U.S. Postal Service with first class postage prepaid, a true and correct copy of the within **Motion to File Return to Respondents' Motion to Dismiss Out of Time** to:

Christian Stegmaier, Esquire
COLLINS & LACY, P.C.
P.O. Box 12487
Columbia, S.C. 29211

May 7th, 2020
Hampton, South Carolina


Megan C. Davis

PMPED

PETERS | MURDAUGH | PARKER | ELTZROTH | DETRICK

May 7, 2020

John E. Parker, Jr.
Phone: (803) 943-2111
Email: jayparker@pmped.com

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
Post Office Box 11629
Columbia, SC 29211-1629

Re: *Machelle Smith v. Columbia Sussex Corporation d/b/a Hilton Head Marriott Resort & Spa; Columbia Sussex Management, LLC and Columbia Properties Hilton Head, LLC*
Appellate Case No.: 2019-002099

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of Appellant's Motion to File Out of Time in the above-referenced matter. Please file the original and return a clocked copy of same in the self-addressed stamped envelope provided. Also, enclosed is our firm's check in the amount of \$50.00 for the filing fee.

If you have any questions, please let us know.

With kind regards, I am

Sincerely,



John E. Parker, Jr.

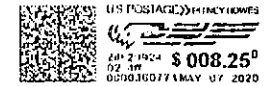
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SC Court of Appeals

JEP2/mcd
Enclosures as stated

cc: Christian Stegmaier, Esquire



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PETERS | MURDAUGH | PARKER | ELTZROTH | DETRICK
101 Mulberry Street East
Post Office Box 457
Hampton, South Carolina 29924

TO:

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
Post Office Box 11629
Columbia, SC 29211-1629

**PRIORITY
★ MAIL ★**



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