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**Sep 03 2020**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas**

**Edgar W. Dickson, Circuit Court Judge, First Judicial Circuit**

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**C.A. No.: 2015-CP-38-553**

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Denise Simmons,..... Appellant,

v.

South Carolina State University..... Respondent.

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**MOTION FOR EXTENSION OF TIME**

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Pursuant to Rule 263(b), SCACR, Respondent, South Carolina State University, respectfully moves the Court for a thirty (30) day extension of time in which to file its Initial Brief, up to and including Friday, October 23, 2020. Without an extension, Respondent’s Initial Brief is due on September 23, 2020. Respondent’s Counsel, who represents numerous school districts in the State, requires additional time to file Respondent’s brief due to the volume of matters surrounding the COVID-19 pandemic, and this motion is submitted in good faith and is not intended for purposes of delay.

Counsel for Respondent has conferred with Martin S. High, Counsel for the Appellant, and Appellant consent to this thirty (30) day extension.

Respectfully submitted,

HALLIGAN MAHONEY WILLIAMS SMITH  
FAWLEY & REAGLE, PA

By: s/ Kimberly Kelley Blackburn  
Dwayne T. Mazyck, S.C. Bar No. 70240  
dmazyck@hmwlegal.com

Kimberly Kelley Blackburn,  
S.C. Bar No. 73699  
kblackburn@hmwlegal.com

John M. Reagle, S.C. Bar No. 14185  
jreagle@hmwlegal.com

P.O. Box 11367  
Columbia, South Carolina 29211  
(803) 254-4035

Attorneys for Respondent

September 3, 2020  
Columbia, South Carolina

Other Counsel of Record:

Martin S. High  
Martin S. High, P.C.  
PO Box 33190  
Clemson, SC 29733

Attorney for Appellant

**Kelly M. Donovan**

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**From:** Kimberly Kelley Blackburn <kblackburn@hmwlegal.com>  
**Sent:** Thursday, September 3, 2020 4:54 PM  
**To:** Martin S. High  
**Subject:** APPEAL - South Carolina State University v. Denise Simmons, Appellate Case No. 2020-000671  
**Attachments:** LET High.PDF; Motion for Extension.PDF; Email- Approval of Motion.pdf

Dr. High,

Enclosed please find the Motion for Extension I referenced yesterday. Thank you once again for your cooperation.

Kim Blackburn



**KIMBERLY KELLEY BLACKBURN PARTNER**

THE TOWER AT 1301 GERVAIS STREET, SUITE 1400

PO BOX 11367 | COLUMBIA, SC 29211

PH 803.254.4035 [HMWLEGAL.COM](http://HMWLEGAL.COM)

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## Kelly M. Donovan

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**From:** Martin S. High <marty@martyhigh.com>  
**Sent:** Wednesday, September 2, 2020 5:48 PM  
**To:** Kimberly Kelley Blackburn  
**Subject:** RE: Simmons

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** .

Ms. Blackburn,

Dr. Simmons does not object.

Marty



**Martin S. High, Ph.D., P.E., J.D., Reg. Patent Attorney**  
Martin S. High, P.C. | Member of OK, TX & SC Bar  
864.300.2444 (o) | 405.747.7113 (m) | 866.232.1096 (f) | highms (Skype)  
[www.martyhigh.com](http://www.martyhigh.com) | PO Box 33190 Clemson SC 29633-3190



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**From:** Kimberly Kelley Blackburn <kblackburn@hmwlegal.com>  
**Sent:** Wednesday, September 2, 2020 4:39 PM  
**To:** Martin S. High <marty@martyhigh.com>  
**Subject:** Simmons

Mr. High,

As you know, my firm represents South Carolina State University in this matter. I am working with John Reagle and Dwayne Mazyck on this appeal. We are in receipt of your initial brief, designation of matter, and the transcript. However, we are requesting an extension of time in which to file our initial brief and designation of matter. Do you have any objection to a 30 day extension?

Thank you for your cooperation in this matter.

Kim Blackburn

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**PROOF OF SERVICE**

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I certify that I have served a copy of the aforementioned Motion for Extension of Time via e-mail, on September 3, 2020, addressed to Martin S. High, marty@martyhigh.com.

HALLIGAN MAHONEY WILLIAMS SMITH  
FAWLEY & REAGLE, PA

s/ Kimberly Kelley Blackburn  
Kimberly Kelley Blackburn, S.C. Bar No. 73699  
kblackburn@hmwlegal.com



**HALLIGAN MAHONEY  
& WILLIAMS**

HALLIGAN MAHONEY WILLIAMS  
SMITH FAWLEY & REAGLE, PA  
THE TOWER AT 1301 GERVAIS STREET, SUITE  
1400  
PO BOX 11367 | COLUMBIA, SC 29211  
PH 803.254.4035  
HMWLEGAL.COM

WILLIAM F. [BICK]  
HALLIGAN ◊  
KATHRYN LONG MAHONEY  
ALLEN D. SMITH  
JOHN M. REAGLE ◊  
VERNIE L. WILLIAMS  
THOMAS K. BARLOW ◊◊  
ALLISON AIKEN HANNA

CONNIE P. JACKSON  
KIMBERLEY KELLEY  
BLACKBURN  
JASMINE ROGERS DRAIN ◻  
DWAYNE T. MAZYCK  
SHENEKA S. LODENQUAI ◻  
SUSAN M. FITTIPALDI ▷

September 3, 2020

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**SC Court of Appeals**

**VIA EMAIL ONLY**

Martin Scott High, Ph.D., P.E., J.D.  
PO Box 33190  
Clemson, SC 29633

RE: APPEAL - South Carolina State University v. Denise Simmons

Dear Dr. High:

Enclosed and served on you is the Motion for Extension for the above-referenced matter. We appreciate your willingness to consent to an extension.

Please do not hesitate to contact me if you have any questions.

With kind regards, I am

Sincerely yours,

Kimberly Kelley Blackburn  
kblackburn@hmwlegal.com

/kmd