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Jun 25 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
The Honorable Deadra L. Jefferson, Circuit Court Judge

Case No. 2017-CP-08-02153
Appellate Case No.: 2020-000757

Doretta McHugh, as Personal
Representative for the Estate of Daniel
Coy.

Appellant.

v.

John Doe

Respondent.

RESPONDENT'S MOTION TO FILE FINAL BRIEF ON APPEAL OUT OF TIME

COMES NOW, the Respondent, John Doe, by through the undersigned counsel, respectfully requests to file his Final Brief on Appeal outside the original filing deadline. Further, Respondent, pursuant to Rule 212(b) of SCACR, respectfully moves this Court to have the Record on Appeal supplemented to include Progressive Direct Insurance Company's Response to Plaintiff's Motion for New Trial or to Alter or Amend Judgment, which was requested to be included on Respondent's Designation of Matter filed on March 3, 2021. In support hereof, the undersigned states the following:

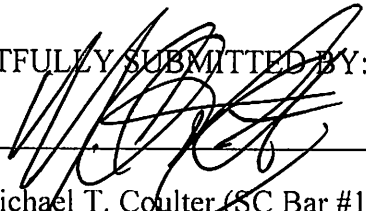
- 1) The deadline for filing Respondent's Final Brief has expired.

- 2) Upon review of the Record of Appeal. Respondent notes for this Honorable Court and counsel for Appellant, that the Record of Appeal is incomplete and does not include certain documents that had previously been included on Respondent's Designation of Matter to be Included in the Record on Appeal. Specifically, the filed Record on Appeal does not include Respondent's document number nine (9), Progressive Direct Insurance Company's Response to Plaintiff's Motion for New Trial or to Alter or Amend Judgment. (*See* Respondent's Designation of Matter).
- 3) The undersigned counsel has notified counsel for Appellant of the deficiency, and he has consented and agreed that the Record on Appeal be supplemented to include all documents that which were included on Respondent's Designation of Matter to be Included in the Record of Appeal.
- 4) Respondent respectfully moves this Honorable Court to file his Final Brief pending the Record on Appeal being supplemented.
- 5) Counsel for Appellant has consented to Respondent's Motion to file his Final Brief pending the Record on Appeal having been supplemented.
- 6) This request is made in good faith, and not for purpose of delay.

WHEREFORE, Respondent respectfully requests until July 6, 2021 to submit his Final Brief.

(Signature Page to Follow)

RESPECTFULLY SUBMITTED BY:



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Attorneys for Respondent John Doe

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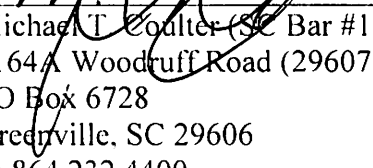
John Doe

Respondent.

PROOF OF SERVICE

The undersigned attorneys hereby certify that a true copy of Respondent's First Request to file her Final Brief outside the deadline in the above referenced case has been served on up on counsel of record by emailing a copy as follows:

Dan Boles (Attorney for Appellant) Dan@boleslawfirmllc.com
Julie Murray (Paralegal to Dan Boles) julie@boleslawfirmllc.com



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