

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
South Carolina Workers' Compensation Commission

R. Michael Campbell, II, Commissioner; T. Scott Beck, Commissioner; Gene McCaskill,
Commission Chair

W.C.C. File No.: 1708722
Appellate Case No.: 2020-000718

RECEIVED
Jun 30 2021
SC Court of Appeals

Timothy Clayton, Employee, Claimant, Appellant,

v.

South Carolina Department of Transportation, Employer; S.C. State Accident Fund,
Carrier, Respondents.

APPELLANT'S MOTION TO FILE REPLY BRIEF OUT OF TIME

Pursuant to South Carolina Appellate Court Rule 240, Appellant requests the Court allow and accept **Appellant's Reply Brief out of time**. Appellant filed the unbound copy of the original April 9, 2021, Record on Appeal, and an Appendix to Record on Appeal June 4, 2021. Appellant calculated final briefs due date pursuant to Rule 211(a) as twenty (20) days after June 4, 2021. Appellant filed Appellant's Final Brief on June 24, 2021, but inadvertently failed to include Appellant's Reply Brief. Therefore, the Appellant prays the Court will allow and accept **Appellant's Reply Brief out of time**.

Respectfully submitted,

By: 

Elizabeth McMahan Pentz, S.C. Bar Number 68426
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Lexington, South Carolina
June 30, 2021

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PROOF OF SERVICE

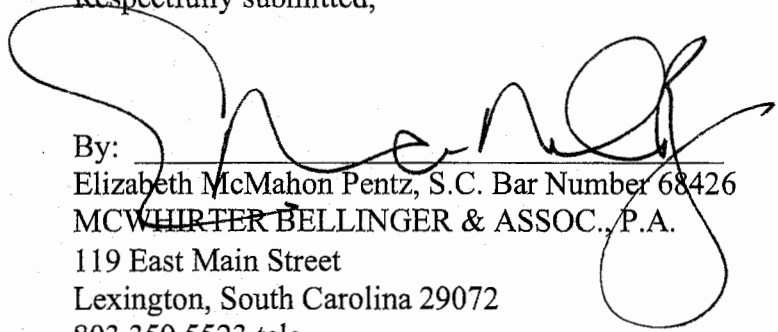
Counsel for the **Appellant** certifies that she served the **Appellant's Motion to file Reply Brief out of time** and **Appellant's Reply Brief** on the Respondents, South Carolina Department of Transportation, Employer; and SC State Accident Fund, Carrier; as well as the Administrative Tribunal by depositing a copy of the same into the United States Postal Service with proper postage affixed on June 30, 2021, and addressed as follows. Electronic service followed.

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[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



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**PROOF OF SERVICE Appellant's Motion to
file Reply Brief out of time; Appellant's Reply
Brief.**

Lexington, South Carolina
June 30, 2021

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June 30, 2021

VIA ELECTRONIC SERVICE ctappfilings@sccourts.org and U.S. Postal Service:

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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Jun 30 2021

SC Court of Appeals

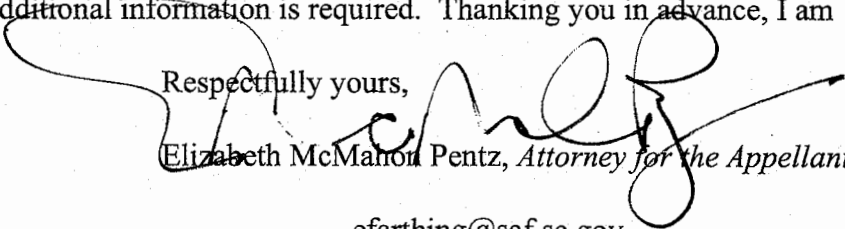
RE: Timothy Clayton, Employee, Appellant v. South Carolina Department of Transportation, Employer; and S.C. State Accident Fund, Carrier, Respondents.
APPELLATE CASE NO.: 2020-000718
SCWCC FILE NO.: 1708722

Dear Ms. Kitchings:

Please find enclosed for filing **Appellant's Motion to file Reply Brief Out of Time** pursuant to June 14, 2021, correspondence; one (1) bound and one (1) unbound copy **Appellant's Reply Brief with Certificate of Counsel**; and **Proof of Service** that the Respondents and administrative tribunal are served with a copy via electronic service and one (1) bound copy by U.S. Postal Service.

Please advise if additional information is required. Thanking you in advance, I am

Respectfully yours,


Elizabeth McMahon Pentz, Attorney for the Appellant

Enclosures

Cc: Erin F. Farthing
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