

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL from Court of Common Pleas of CHARLESTON COUNTY

Capers G. Barr, III, Special Referee

Appellate Case No. 2021-000185

Case No. 2019-CP-10-03042

95004
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NOV 10 2021
SC Court of Appeals

Judith A. Brown, as Personal Representative for the Estate of Mildred C. Knight, and
Norman R. "Bobby" Knight III, Appellants

v.

Chloe Knight Tonney, Respondent.

**MOTION TO REQUEST PERMISSION TO FILE APPELLANTS' FINAL BRIEF
AND APPELLANTS' FINAL REPLY BRIEF WITH PROOF OF SERVICE
OUTSIDE OF FILING DEADLINE**

NOW come Appellants requesting permission to file Appellants' Final Brief, Final Reply Brief, and Proof of Service Outside of the filing deadline for the following reasons:

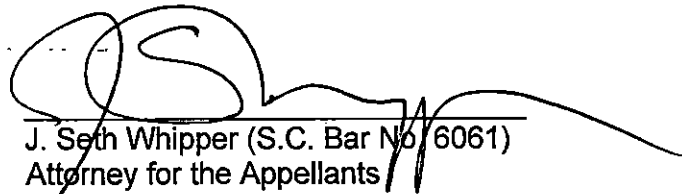
1. Counsel for Appellants mistook the deadline in as one of the thirty (30) days;
2. Counsel is prepared to meet a thirty (30) day due date.

Appellants contend that the interests of justice will be served by granting this motion. Dixon v. Besco Engineering, Inc. 320 S.C. 174, 463, S.E.2d 636, 638 (Ct. App.1995).

Appellants certify constitution would serve no useful purpose.

This motion is based on South Carolina Rules of Court and Applicable Case Law.

November 8, 2021


J. Seth Whipper (S.C. Bar No. 6061)
Attorney for the Appellants
P.O. Box 70070
North Charleston, SC 29415
843-740-7777

Other Counsel of Record:
Charles S. Altman
Kelli Goldstein
Attorneys for Respondent
575 King Street, Suite A
Charleston, SC 29403

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v.

Chloe Knight Tonney,.....Respondent

PROOF OF SERVICE

The undersigned hereby certifies that the true copy of the foregoing Appellants' Motion To Request Permission to File Appellants' Final Brief and Appellants' Final Reply Brief Outside of Filing Deadline has been served on the South Carolina Court of Appeals by depositing a copy to them in the United States Mail, postage prepaid, on November 8, 2021, addressed to Clerk, South Carolina Court of Appeals, Post Office Box 11629, Columbia, South Carolina 29211 and served the same on Charles S. Altman and Kelli Goldstein, Attorneys for Respondent, 575 King Street, Suite A, Charleston, SC 29403.

Nov. 8, 2021

[Handwritten signature]

LaToya D. Scott
Whipper Law Firm
P.O. Box 70070
North Charleston, SC 29415
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CHERYL WHIPPER HAMILTON
J. SETH WHIPPER

MAILING ADDRESS
POST OFFICE BOX 70070
NORTH CHARLESTON, SC 29415

November 8, 2021

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

**Re: Judith A. Brown, as Personal Representative for the Estate of Mildred C. Knight
and Norman R. "Bobby" Knight III, Appellants v. Chloe Knight Tonney, Respondent
Appellants' Case No. 2021-000185
Motion to File Appellants Final Brief and Appellants' Final Reply Brief Out of time –
For filing
Proof of Service – For Filing**

Dear Ms. Kitchings:

Find enclosed check number **#10846** in the amount of \$50.00 for filing. Also, enclosed for filing are the following documents: 1 Motion to Request Permission to File Appellants Final Brief and Appellants Final Reply Brief Out of Time and a copy, along with 1 Proof of Service and a copy in the above case.

I have enclosed a self-addressed, stamped envelope for returning the conformed copy.

Thank you for your assistance and cooperation with this matter.

Sincerely,
WHIPPER LAW FIRM

J. Seth Whipper, Esquire

JSW/ljs
Enclosures

xc: Bobby Knight
Judith L. Brown
Charles A. Altman, Esq.
Kelli Goldstein, Esq.

J. Seth Whipper, Esq.
Whipper Law Firm
P.O. Box 70070
North Charleston, SC 29415

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