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Dec 10 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
L. Casey Manning, Circuit Court Judge
Joseph M. Strickland, Master-in-Equity

Appellate Case No. 2021-000539
Case No. 2020-CP-40-3674

Ammon L. “Treigh” Sullivan, Respondent,

v.

Richland County School District One and
South Carolina Department of Education, Defendants,

Of which, South Carolina Department of Education, is Appellant.

**MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF OF APPELLANT**

The Appellant South Carolina Department of Education respectfully moves this Court for an additional extension of time until December 20, 2022, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellant's motion is based on the following grounds:

1. The Appellant's Initial Brief is currently due to be filed and served on December 13, 2021.

2. The undersigned counsel requires additional time to complete the Appellant's Initial Brief because the undersigned counsel is #1 for trial in the Greenville County Court of Common Pleas beginning Monday, December 13, 2021. That trial is expected to last 2-3 days.

3. The undersigned has consulted with Ryan Hicks, counsel for the Respondent, and he consented to the requested extension by email (copy attached).

WHEREFORE, the Appellant South Carolina Department of Education respectfully requests that it be allowed until December 20, 2022, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN & DAVIS, P.A.

BY: s/ Andrew F. Lindemann
ANDREW F. LINDEMANN #13030
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
(803) 881-8920

*Counsel for Appellant South Carolina
Department of Education*

December 10, 2021

From: [Iris Ray](#)
To: [Andrew Lindemann](#)
Cc: [Jennifer Baker](#); [Ryan Hicks](#)
Subject: RE: Sullivan v. DOE
Date: Friday, December 10, 2021 3:54:17 PM

Mr. Lindemann:

Ryan has already left the office and is on the road heading out of town. I called him and he agreed to a one-week extension on your brief. Thanks!

Iris W. Ray, Senior Litigation Paralegal
to Julius "Jay" W. Babb, IV, Ryan K. Hicks, Shannon Polvi and Elizabeth S. Millender
Cromer Babb Porter & Hicks, LLC
1418 Laurel Street, Suite A (29201)
P.O. Box 11675
Columbia, SC 29211
803-799-9530 (o) / 803-799-9533 (f)
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From: Andrew Lindemann <Andrew@ldlawsc.com>
Sent: Friday, December 10, 2021 3:35 PM
To: Ryan Hicks <Ryan@CBPHLaw.com>
Cc: Iris Ray <Iris@CBPHLaw.com>; Jennifer Baker <Jennifer@ldlawsc.com>
Subject: Sullivan v. DOE

Ryan:

I have a huge favor to ask. My initial brief is due on Monday. As you know I will be in trial with Paul Porter up in Greenville. Will you kindly consent to an additional one week extension? It would be greatly appreciated.

Thanks.

Andrew

Andrew F. Lindemann
Lindemann & Davis, P.A.
5 Calendar Court, Suite 202
Post Office Box 6923

Columbia, South Carolina 29260

Direct Dial: 803-881-8921

Email: andrew@ldlawsc.com

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Of which, South Carolina Department of Education, is Appellant.

CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, the undersigned employee of Lindemann & Davis, P.A., counsel for the Appellant, does hereby certify that service of the **Motion for Extension of Time to File Initial Brief of Appellant** was made upon all counsel of record by email only at the below email address this the 10th day of December 2021, as follows:

Ryan K. Hicks, Esquire
Cromer Babb Porter & Hicks, LLC
Email: Ryan@cbphlaw.com

s/ Andrew F. Lindemann



Telephone (803) 881-8920
Facsimile (803) 862-1181

5 Calendar Court, Suite 202 (29206)
Post Office Box 6923
Columbia, South Carolina 29260

December 10, 2021

ANDREW F. LINDEMANN*
Direct Dial: (803) 881-8921
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JAMES M. DAVIS, JR.†
Direct Dial: (803) 881-8922
Email: jim@ldlawsc.com

*Also Admitted in North Carolina
†Certified Mediator

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

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Dec 10 2021
SC Court of Appeals

RE: Ammon L. "Treigh" Sullivan v. Richland County School District One and South Carolina Department of Education
Appellate Case Number: 2021-000539
Civil Action Number: 2020-CP-40-3674
Our File Number: 79.20406

Dear Ms. Kitchings:

In accordance with Section (b)(2) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, please find enclosed for filing the **Motion for Extension of Time to File Initial Brief of Appellant** in the above referenced matter. In accordance with Section (d)(1) of this same order, I am hereby serving copies on all counsel of record by email only.

A filing fee is not required as the Appellant is exempt as a state agency. If you have any questions, please advise. Thank you for your consideration of this request.

Sincerely,

LINDEMANN & DAVIS, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosure

cc: Ryan K. Hicks, Esquire (w/ Enclosure, Via Email Only)