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Feb 18 2022

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Appellate Case No.: 2021-000977

David Mack Johnson, Sr.....Respondent,

-v-

Palmetto Solar, LLC, Palmetto South Carolina Solar I, LLC, Brightest Solar, Inc., Sunlight Financial, LLC, Cross River Bank, Great America Services Corporation, and Robert Dodge, Defendants,

Of Whom, Palmetto Solar, LLC, Palmetto South Carolina Solar I, LLC, Brightest Solar, Inc., Sunlight Financial, LLC, Cross River Bank, and Robert Dodge are the.....Appellants.

MOTION TO FILE INITIAL BRIEF OF RESPONDENT OUT OF TIME

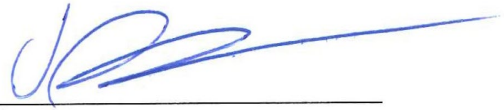
Pursuant to Rule 240 and Rule 263, SCACR, Respondent David Mack Johnson, Sr. respectfully moves this Court for an Order permitting him to file his Initial Brief. The Initial Brief of Respondent was due to be filed and served February 9, 2022. Respondent respectfully requests permission to file his Initial Brief out of time.

[SIGNATURE PAGE TO FOLLOW]

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

February 18, 2022
Hampton, South Carolina

By: _____



Mark David Ball
John E. Parker, Jr.
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ATTORNEYS FOR THE RESPONDENT

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CERTIFICATE OF SERVICE

This is to certify that I, Claudia Cartier, with the Law Firm of Peters, Murdaugh, Parker, Eltzroth & Detrick, P.A., Attorney for the Respondent, have this date emailed a true and correct copy of the within *Motion to File Initial Brief of Respondent Out of Time* to:

Matthew A. Abee
NELSON MULLINS RILEY & SCARBOROUGH LLP
E-Mail: matt.abee@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 29211
Columbia, SC 29201
(803) 799-2000

Attorney for Appellants Palmetto Solar, LLC, successor by merger with Palmetto South Carolina Solar I, LLC; Sunlight Financial, LLC; and Cross River Bank.

TINKLER LAW FIRM LLC
William P. Tinkler
E-Mail: williamtinkler@tinklerlaw.com
P.O. Box 366
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Attorney for Appellants Brightest Solar, Inc. and Robert Dodge

February 18, 2022
Hampton, South Carolina

BY: *Claudia Cartier*
Claudia Cartier

February 18, 2022

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The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
Post Office Box 11629
Columbia, SC 29211-1629

Re: *Johnson v. Palmetto Solar, LLC, et al.*
Appellate Case No.: 2021-000977

Dear Ms. Kitchings:

Please enclosed for filing Respondent's Motion to File Out of Time in the above-referenced matter. We are e-mailing the Motion to File Out of Time for filing and no additional copies are being provided. If additional copies are requested, please let us know. Also, our check in the amount of \$50.00 will go out in today's mail for the filing fee.

By copy of this letter, I am serving all counsel of record with a copy of the same.

With kind regards, I am

Sincerely,



John E. Parker Jr.

JAY/cc
Enclosures as stated

cc: Matthew A. Abee, Esquire
William P. Tinkler, Esquire