

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

96057

APPEAL FROM ANDERSON COUNTY
CIRCUIT COURT

RECEIVED

APR 19 2022

R. SCOTT SPROUSE, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2021-000285

Moats Construction, Inc.....Appellant,

v.

City Council of the City of Anderson.....Respondents.

MOTION TO FILE AND SERVE THE RECORD ON APPEAL OUT OF TIME

Appellant, by and through its undersigned attorney hereby moves this Honorable Court for a 90-day extension in which to file the Record on Appeal. The Record on Appeal was due on March 4, 2022. Due to human error the deadline was not properly calendared and Counsel for Appellant is requesting the court to grant an extension. If the extension is granted, the Record on Appeal would be due on May 4, 2022.

However, Appellant is contemporaneously filing the Record on Appeal with this motion and asks that the court grant this motion and accept the Record on Appeal. Appellant asserts that granting this motion will cause no prejudice against Respondent.

GOODWYN LAW FIRM, LLC



T. Jeff Goodwyn, Jr., SC Bar No. 73789

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Attorney for Appellant

Columbia, South Carolina
April 14, 2022

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R. SCOTT SPROUSE, CIRCUIT COURT JUDGE

Appellant Case No. 2021-000285

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City Council of the City of Anderson.....Respondent.

PROOF OF SERVICE

I certify that I have served a copy of the **Motion to File and Serve the Record on Appeal Out of Time and Record on Appeal** upon J. Franklin McClain, Esquire and Stacey Todd Coffee, Esquire, Counselors for the Respondent, at the addresses listed below by depositing a copy of same in the United States Mail, postage prepaid, on April 14, 2022.

J. Franklin McClain, Esquire
401 S. Main Street
Anderson, SC 29624
Attorney for Respondent

Stacey Todd Coffee, Esquire
Logan & Jolly, LLP
P.O. Box 259
Anderson, SC 29622
Attorney for Respondent



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† Certified Circuit Court Mediator

Email: JGoodwyn@Goodwynlaw.com
Web: www.GoodwynLaw.com

April 14, 2022

VIA HAND DELIVERY

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

RECEIVED

APR 19 2022

SC Court of Appeals

RE: *Moats Construction, Inc. v. City Council of the City of Anderson*
Appellant No.: 2021-000285
Our File No.: 3000-0519

Dear Ms. Kitchings:


Please find enclosed for filing the original and one copy of a Motion to File and Serve the Record on Appeal Out of Time, along with the Proof of Service and a check in the amount of \$50.00, in regards to the above-referenced matter. Please return a clocked-in copy of same in the self-addressed stamped envelope provided.

Also, enclosed please find an Original and (16) copies of the **Record on Appeal** for filing in regards to this matter.

By copy of this letter and as evidenced by the attached Proof of Service, I am serving a copy of the **Motion to File and Serve the Record on Appeal Out of Time and Record on Appeal** on J. Franklin McClain, Esquire and Stacey T. Coffee, attorneys for the Respondent.

Thank you for your attention to this matter and should you have any questions, please do not hesitate to contact me.

Sincerely,



T. Jeff Goodwyn, Jr.

TJG/msb
Enclosures

cc: J. Franklin McClain, Esquire
Stacey T. Coffee, Esquire