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Apr 22 2022

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Appellate Case No.: 2021-001463

Anthony WiseAppellant,

-v-

Kenneth E. Leap, Newberry Hospital, LLC d/b/a
Newberry County Memorial Hospital, and West
Fraser, Inc., Defendants,

Of Whom, West Fraser, Inc. isRespondent.

**MOTION TO FILE APPELLANT’S REPLY BRIEF OUT OF TIME AND MOTION FOR
EXTENSION OF TIME TO FILE REPLY BRIEF**

Pursuant to Rule 240 and Rule 263, SCACR, Appellant Anthony Wise respectfully moves the Court for an Order permitting him to file his Reply Brief. The Reply Brief was due to be filed and served April 21, 2022. The undersigned sought Respondent’s consent to an extension to the deadline to file Appellant’s Reply Brief, which was granted (Ex. A), but inadvertently neglected to file his motion requesting an extension prior to the April 21, 2022 deadline. Therefore, Appellant also respectfully requests a fourteen (14) day extension of time in which to file his Reply Brief pursuant to Rule 263(b) and 240(a), South Carolina Rules of Appellate Procedure.

The undersigned attorney for the Appellant hereby certifies that he has consulted with counsel for the Respondent, Anne Laurie McClurkin, who consents to Appellant's request to file his Reply Brief out of time and for an additional fourteen (14) day extension of time beyond the April 21, 2022 deadline.

Respectfully submitted,

PARKER LAW GROUP, LLP

April 22, 2022
Hampton, South Carolina

By:  _____

John E. Parker, Jr. (SC Bar #104225)
John E. Parker (SC Bar #4442)
101 Mulberry Street, East
P.O. Box 487
Hampton, SC 29924
Phone: 803.903.1781
jayparker@parkerlawgroupsc.com
jparker@parkerlawgroupsc.com

-AND-

John W. Carrigg, Jr., Esquire
Carrigg Law Firm
120 North Lake Dr.
Lexington, SC 29072
jcarrigg@carrigglaw.com

Attorneys for Appellant

April Musser

From: Anne Laurie McClurkin <AMcClurkin@maynardcooper.com>
Sent: Friday, April 22, 2022 6:28 AM
To: Jay Parker
Cc: cmajor@hsblawfirm.com; Tracy Rider; Johnny Parker; Claudia Cartier; Sandi Hamil; Pack, Angie
Subject: RE: Anthony Wise v. Kenneth Leap, Appeal No. 2021-001463

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Jay, that's fine. No objection.

Anne Laurie McClurkin

Shareholder | Labor & Employment

P: 251.206.7448

AMcClurkin@maynardcooper.com | V-card

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RSA Battle House Tower, Suite 24290
Mobile, AL 36602



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From: Jay Parker <jayparker@parkerlawgroupsc.com>
Sent: Thursday, April 21, 2022 10:34 PM
To: Anne Laurie McClurkin <AMcClurkin@maynardcooper.com>
Cc: cmajor@hsblawfirm.com; Tracy Rider <TRider@maynardcooper.com>; Johnny Parker <JParker@parkerlawgroupsc.com>; Claudia Cartier <ccartier@parkerlawgroupsc.com>; Sandi Hamil <SHamil@maynardcooper.com>; Pack, Angie <apack@hsblawfirm.com>
Subject: RE: Anthony Wise v. Kenneth Leap, Appeal No. 2021-001463

All

I neglected to file our motion for an extension and the deadline to reply was earlier today. Do I have your consent to file our motion as a motion to file out of time as well as a motion for an extension since the deadline passed? I don't anticipate this will be an issue since you weren't expecting our reply for another 2 weeks anyways.

Thanks,

Jay

From: Anne Laurie McClurkin [<mailto:AMcClurkin@maynardcooper.com>]
Sent: Tuesday, April 12, 2022 6:22 AM
To: Jay Parker <jayparker@parkerlawgroupsc.com>
Cc: cmajor@hsblawfirm.com; Tracy Rider <TRider@maynardcooper.com>; Johnny Parker <JParker@parkerlawgroupsc.com>; John Carrigg <jcarrigg@carrigglaw.com>; Claudia Cartier <ccartier@parkerlawgroupsc.com>; Sandi Hamil <SHamil@maynardcooper.com>; Pack, Angie <apack@hsblawfirm.com>
Subject: Re: Anthony Wise v. Kenneth Leap, Appeal No. 2021-001463

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No objection to a 2-week extension.

Anne Laurie McClurkin

Shareholder | Labor & Employment

P: 251.206.7448

AMcClurkin@maynardcooper.com | V-card

11 North Water Street
RSA Battle House Tower, Suite 24290
Mobile, AL 36602



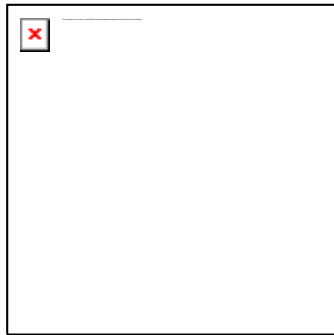
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On Apr 11, 2022, at 12:14 PM, Jay Parker <jayparker@parkerlawgroupsc.com> wrote:

Would yall be opposed to me getting another extension, I have a family vacation planned from Wednesday through Monday of next week, and it will make it difficult to meet the ten-day reply deadline. I would probably only need a few weeks extension.

Thanks,
Jay



John "Jay" E. Parker, Jr.
Attorney, Parker Law Group

☎ 803.903.1814

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Please note my new email address and other contact information contained in my signature. Thanks.

From: Bailey, Kimberly <kbailey@hsblawfirm.com>
Sent: Monday, April 11, 2022 12:22 PM
To: ctappfilings@sccourts.org
Cc: Major, Chris <cmajor@hsblawfirm.com>; Anne Laurie McClurkin <AMcClurkin@maynardcooper.com>; TRider@maynardcooper.com; Johnny Parker <JParker@parkerlawgroupsc.com>; Jay Parker <jayparker@parkerlawgroupsc.com>; John Carrigg <jcarrigg@carrigglaw.com>; Claudia Cartier <ccartier@parkerlawgroupsc.com>; SHamil@maynardcooper.com; Pack, Angie <apack@hsblawfirm.com>
Subject: Anthony Wise v. Kenneth Leap, Appeal No. 2021-001463

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Dear Ms. Kitchings:

Attached to this message for filing are the following documents:

- 1) Cover letter from Christopher B. Major;
- 2) *Respondent's Initial Brief including Certificate of Service*; and
- 3) *Respondent's Designation of Matter to be Included in Record on Appeal included Certificate of Service*.

Once these documents have been filed-stamped, we would appreciate your reply to this message with filed-stamped copies.

Thank you for your assistance in this matter. If you have any questions or concerns, please do not hesitate to contact us.

Thank you,
Kim Bailey

<image001.gif>

Kimberly W. Bailey | Paralegal

Direct 864.240.3332 | kbailey@hsblawfirm.com

Haynsworth Sinkler Boyd, P.A.

ONE North Main, 2nd Floor | Greenville, SC 29601

Main 864.240.3200 | Fax 864.240.3300

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-v-

Kenneth E. Leap, Newberry Hospital, LLC d/b/a
Newberry County Memorial Hospital, and West
Fraser, Inc., Defendants,

Of Whom, West Fraser, Inc. isRespondent.

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing Motion for Extension has been served upon the following counsel of record by emailing a copy of the same this 22nd day of April, 2022.

Christopher B. Major, Esquire
HAYNSWORTH, SINKLER & BOYD
1 North Main Street, 2nd Floor
Greenville, SC 29601-2772
Telephone: (864) 240-3200
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Telephone: (251) 206-7448
Email: amclurkin@maynardcooper.com
Attorneys for Respondent

PARKER LAW GROUP, LLP

By: April E. Musser
April E. Musser

April 22, 2022
Hampton, South Carolina.

April 22, 2022

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SC Court of Appeals

Via Email Only: ctappfilings@sccourts.org

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

Re: Anthony Wise v. Newberry Hospital, et al
Appellate Case No.: 2021-001463

Dear Ms. Kitchings:

Enclosed for filing, please find the original of Appellant's Motion to File Appellant's Reply Brief Out of Time and Motion for Extension of Time to File Reply Brief in the above-referenced case. By copy of this letter, I am serving all counsel of record with a copy of the same by email only.

If you have any questions, please let us know.

With kind regards, I am

Sincerely,



John E. Parker Jr.

JAY/aem

CC: Christopher B. Major, Esquire (via E-mail only)
Anne Laurie McClurkin, Esquire (via E-mail only)