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May 18 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

Honorable Benjamin H Culbertson, Circuit Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF JOHN O'NEIL JOHNSON

APPELLANT

APPELLATE CASE NO. 2021-000249

MOTION TO FILE OUT OF TIME APPELLANT'S FINAL BRIEF

Appellant moves this court to allow the same to file Appellant's Final Brief out of time. Appellant filed the Record on Appeal on March 21, 21, 2022. Thereafter Appellant failed to file the final copy of the Appellant's final brief until April 28, 2022. Appellant's failure to timely file the Final brief was attributable in part to a substantial trial schedule at the relevant time. Appellant's counsel had a jury trial in Clarendon Circuit Court (In the Matter of the Care and Treatment of Elijah Whack 2020-CP-14-0235) the week of April 4, 2022; a trial in Berkeley Circuit Court (In the Matter of the Care and Treatment of Hampton Burbage 2020-CP-08-0827) the week of April 18, 2020; and was preparing for a trial that was third on the Charleston County General Sessions roster for the week of April 25, 2020.

Appellant therefore asks this Court to accept its Final Brief that was filed seven days beyond its due date.

s/ James Falk

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(843) 606-6007

ATTORNEY FOR APPELLANT

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Appellant's Motion to File Out of Time its Final Brief in the above referenced case was mailed to Deborah R.J. Shupe, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and was also emailed to Deborah RJ Shupe at dsahupe@scag.gov this May 18, 2022. Appellant this same day also mailed duplicate copies to John O'Neil Johnson at SVPTP Well Path Solutions 4546 Broad River Road Columbia, SC 29210.

May 18, 2022

s/ James Falk

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ATTORNEY FOR APPELLANT