

NORTH CAROLINA COURT OF APPEALS

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IN THE MATTER OF:
T.M.,
Minor child.

BUNCOMBE COUNTY
05 J 32

.....

MOTION TO DEEM BRIEF TIMELY FILED

COMES NOW the Guardian ad litem and moves to consider the attached brief timely filed in this matter. In support of her motion the Guardian shows unto the Court:

1. The Guardian ad Litem received the Respondent Mother's Appellant Brief on or about March 16, 2006, and the Appellee-Buncombe County Department of Social Service's Brief on or about May 11, 2006. This court gave the Guardian ad Litem an extension until May 15, 2006 to file the GAL Brief.

2. The Guardian ad Litem has been unable to complete her Appellee Brief in the allotted time due to a move in our premises. The undersigned attorney was unable to get to her computer or files from May 11 to this past Monday, May 22, 2006.

3. This request is not intended to delay the action in this case, but due to circumstances beyond this attorney's control.

WHEREFORE, the Guardian ad Litem asks this Court to deem the attached brief timely filed.

This the 24th day of May, 2006.

Signature

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served a copy of the foregoing Motion upon all parties to this cause by depositing a copy hereof in a post paid wrapper in a post office or official depository under the exclusive care and custody of the United States Postal Service, properly addressed to the attorney or attorneys for said parties as listed below.

Douglas L. Hall, Attorney for the respondent
305 S. Green Street
Morganton, NC 28655

Charlotte Wade, Attorney for Petitioner/Appellee
Buncombe County Department of Social Services
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