

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

68441

S. Jackson Kimball, Special Circuit Judge

Case No. 2009-CP-46-01941

Jackie Hartley, Respondent,

v.

A.P. Karras, LLC d/b/a Eat Well Family Restaurant,
Andrew P. Karagounis,
Lucas Giannatos and Stacey Giannatos,

of whom

Lucas Giannatos and Stacey Giannatos are Appellants.

MOTION FOR
EXTENSION OF TIME

RECEIVED

MAY 20 2013

SC Court of Appeals

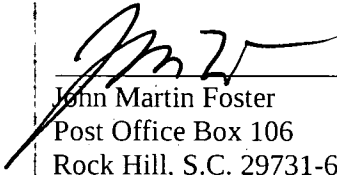
Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order granting them an extension of time in which to file their Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:

1. By direction of this Court, the time for filing the Appellants' Record on Appeal was by May 6, 2013.
2. Since this Appeal was filed, and after the illness of counsel for Appellants, the same have closed their local business. Before and after the time set for the filing of the said Record on Appeal, counsel made several attempts to contact the Appellants to confirm their desire to continue with the appeal. To date, those attempts have been fruitless: counsel has not been contacted by the Appellants.
3. Counsel believes he is required to make another attempt, by certified mail, return receipt requested and restricted delivery, to insure that the Appellants can instruct him as to their wishes.
4. Counsel has prepared and is mailing his letter to the effect above this date. By this Motion, he requests a period of twenty (20) days to confirm his clients' instructions or to move to withdraw as counsel.

The basis of this Motion is the within-cited Rule, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move this Court for an extension of time in which to file their Record on Appeal for an additional period, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

May 14, 2013



John Martin Foster
Post Office Box 106
Rock Hill, S.C. 29731-6106
(803) 324-8100
Attorney for Appellants

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A.P. Karras, LLC d/b/a Eat Well Family Restaurant,
Andrew P. Karagounis,
Lucas Giannatos and Stacey Giannatos,

of whom
Lucas Giannatos and Stacey Giannatos are Appellants.

PROOF OF SERVICE

I certify that I have served the **Motion for Extension of Time**, dated May 14, 2013, on the following counsel or persons of record:

W. Chaplin Spencer, Jr.
Jeremy D. Melville
Spencer & Spencer, PA
Post Office Box 790
Rock Hill, SC 29731-6790

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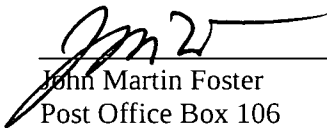
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by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out below; or

by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving it in a conspicuous place therein; or if the office was closed or the person to be served has no office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 262(b), S.C.A.C.R.

May 14, 2013



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
(803)324-8100
Attorney for Appellants

JOHN MARTIN FOSTER

Attorney at law

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Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

May 14, 2013

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Jackie Hartley, Respondent,
v. A.P. Karras, LLC d/b/a Eat Well Family Restaurant,
Andrew P. Karagounis,
Lucas Giannatos and Stacey Giannatos,
of whom Lucas Giannatos and Stacey Giannatos are Appellants.

Case No. 2009-CP-46-01941

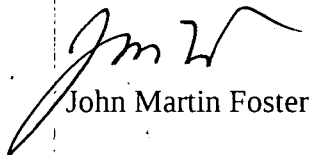
Dear Ms. Kitchings:

In accordance with Rule 240(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellants' Motion for Extension of Time, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondents with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,



John Martin Foster

JMF/jh
enclosures

cc: W. Chaplin Spencer, Jr.
Jeremy D. Melville
Spencer & Spencer, PA
Post Office Box 790
Rock Hill, SC 29731-6790

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