

RECEIVED
Oct 31 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Debra R. McCaslin, Circuit Court Judge

Appellate Case No. 2022-000597

Case No. 2019-CP-32-01442

Suzan Garland,Respondent,

v.

Robert Cade and Christy Cade, Appellants.

**MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION
OF MATTER OF RESPONDENT**

Pursuant to Rules 208, 209, and 240 of the South Carolina Appellate Court Rules, Respondent Suzan Garland moves this Court for an order granting an extension of time for Respondent to serve and file the Initial Brief and Designation of Matter in the above-captioned action.

Currently, Respondent's Initial Brief and Designation of Matter are due on November 11, 2022. The undersigned party requests an extension of time of thirty days to file and serve her

Initial Brief and Designation of Matter. This request is based upon the undersigned's current workload and the number of issues to be addressed in the Appellants' Initial Brief.

If the Motion for Extension is granted as proposed, the new deadline for the Initial Brief will be December 12, 2022. This is Respondent's first request for an extension of this deadline. Respondent is unable to consult with Appellants' counsel, Mr. Jake Moore, as he is currently recovering from a major surgery and is out of the office until at least November 18, 2022. *See* Oct. 21, 2022, Letter from Diane M. L. Corley to the Honorable Walton J. McLeod IV, attached as **EXHIBIT A**.



H. Freeman Belser [SC Bar No. 72403]
Creston W. Brown [SC Bar No. 104086]
Belser & Belser, P.A.
1325 Park Street, Suite 300
Columbia, South Carolina 29201
Post Office Box 96 (29202)
(803) 929-0096
Attorneys for Respondent

October 31, 2022

EXHIBIT A



S. Jahue Moore†
 James Edward Bradley†
 Sheila McNair Robinson
 Christian G. Spradley
 William H. Edwards
 Stanley L. Myers
 Jane H. Downey♦
 S. Jahue Moore, Jr.
 William B. Fortino
 Ralph Nichols Riley, Jr.
 John C. Bradley

Melissa K. Moore
 Lester McGill Bell, Jr.
 Bryan C. Letteer
 Sierra D. Carini
 Lawrence D. Turner
 Emily E. Collins

October 21, 2022

Retired
 J. Mark Taylor**
 Robert D. Hazel†
 C. David Sawyer, Jr.†
 Billy C. Coleman (1916-2019)

VIA E-MAIL: wjmcleodsc@sccourts.org

The Honorable Walton J. McLeod, IV
 Chief Judge for Administrative Purposes
 Lexington, South Carolina

RE: Lexington County and Saluda County Common Pleas Pending Cases

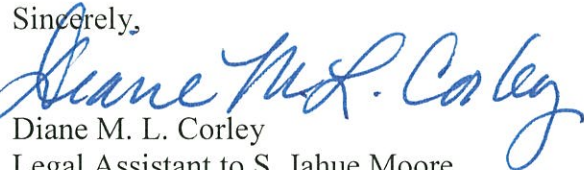
Dear Judge McLeod:

Pursuant to Jake’s instructions, he has asked that I update the Court on his recent surgery and recovery time. As you may know, Jake has been dealing with a serious medial issue since January of 2022 which steadily worsened. I am sure you may have noticed that he has not been himself over the course of these past months. His doctor had him on medication, however, the side effects of this medication were debilitating and left him very dizzy and lethargic.

On Thursday, October 20th Jake underwent major surgery and was hospitalized overnight. He was released this morning with doctor’s order to rest and recover without stress for four (4) weeks. I have attached a copy of the doctor’s orders for your convenience. His doctor has also advised him that he needs to restrict his activities; not to be on his feet for long periods of time; is to limit his driving; and does not want him appearing in Court during this recovery period.

This letter is to respectfully request protection for October 24, 2022 through November 18, 2022 while he recovers. I have attached a list of Jake’s pending cases for your convenience.

Thank you for your kind consideration in this matter.

Sincerely,

 Diane M. L. Corley
 Legal Assistant to S. Jahue Moore

SJM:dc

Enclosures

cc w/encls.: The Honorable Mona Huggins,
 Lexington County Clerk (via e-mail mhuggins@lex-co.com)
 The Honorable Krystle Willingham,
 Lexington County Clerk (via e-mail kwillingham@lex-co.com)

1700 Sunset Boulevard, West Columbia SC 29169 | PO Box 5709, West Columbia SC 29171

TEL 803.796.9160 FAX 803.791.8410 www.mbmlawsc.com

October 21, 2022

The Honorable Walton J. McLeod, IV

RE: Lexington County Common Pleas

Page 2 of 3

A. Johnston Cox, Esquire (via e-mail jcox@gwblawfirm.com)
Kyle D. McGann, Esquire (via e-mail kmcgann@gwblawfirm.com)
Geoffrey K. Chambers, Esquire (via e-mail g.k.chambers@gmail.com)
David Kellum Allen, Esquire (via e-mail david@theallenlawfirm.org)
Anna Maria Williams, Esquire (via e-mail awilliams@wsblegal.com)
Matthew C. LaFave, Esquire (via e-mail matt@crowelafave.com)
David W. Melnyk, Esquire (via e-mail david@melnyklawfirm.com)
Richard R. Gleissner, Esquire (via e-mail rick@gleissnerlaw.com)
Bradford T. Cunningham, Esquire (via e-mail bcunningham@lexsc.com)
Anna M. Williams, Esquire (via e-mail awilliams@wsblegal.com)
M. Malissa Burnette, Esquire (via e-mail mburnette@burnetteshutt.law)
Grant B. LeFever, Esquire (via e-mail glefever@burnetteshutt.law)
Foster M. Mathews, Esquire (via e-mail foster@kenmathewslaw.com)
Kenneth M. Mathews, Esquire (via e-mail ken@kenmathewslaw.com)
James P. Walsh, Esquire (via e-mail jwalsh@clarksonwalsh.com)
Sterling G. Davies, Esquire (via e-mail sdavies@mgclaw.com)
Patrick J. Frawley, Esquire (via e-mail pat@oldcourthouse.com)
Keely McComb McCoy, Esquire (via e-mail keely.mccoy@mgclaw.com)
Danny C. Crowe, Esquire (via e-mail danny@crowelafave.com)
Micajah P. Caskey, IV, Esquire (via e-mail micah@caskeylawfirm.com)
Valerie G. Giovanoli, Esquire (via e-mail valerie.giovanoli@mccabetrotter.com)
Ashley N. Green, Esquire (via e-mail ashley.green@mccabetrotter.com)
Donald R. McCabe, Jr., Esquire (via e-mail ryan.mccabe@mccabetrotter.com)
Mark A. Sawyer, Jr., Esquire (via e-mail msawyer@sinklaw.com)
Robert E. Treacy, Jr., Esquire (via e-mail rtreacy@sinklaw.com)
Justin T. Bamberg, Esquire (via e-mail jbamberg@bamberglegal.com)
Adam C. Ness, Esquire (via e-mail acness@bamberglegal.com)
John D. Hudson, Jr., Esquire (via e-mail john@mcleod-lawgroup.com)
Mark S. Barrow, Esquire (via e-mail msb@swblaw.com)
Everett A. Kendall, II, Esquire (via e-mail rkendall@murphygrantland.com)
Jesse R. Oates, Esquire (via e-mail jro@swblaw.com)
John Adam Ribock, Esquire (via e-mail adam.ribock@mgclaw.com)
F. Freeman Belser, Esquire (via e-mail freeman@belserpa.com)
Creston W. Brown, Esquire (via e-mail creston@belserpa.com)
Henrietta Gill, Esquire (via e-mail henrietagill.law@gmail.com)
John B. Hilton, III, Esquire (via e-mail john@hiltonandcompany.com)
Jeffrey M. Anderson, Esquire (via e-mail jeff@oldcourthouse.com)
Laura R. Baer, Esquire (via e-mail laura@crowelafave.com)
Lee Ellen Bagley, Esquire (via e-mail leb@crowelafave.com)
Philip E. Brasher, Jr., Esquire (via e-mail ebrasher@leekelaw.com)
Grace G. Brown, Esquire (via e-mail ggb@swblaw.com)
Ryan C. Holt, Esquire (via e-mail rch@swblaw.com)
Joseph A. Catalano, Esquire (via e-mail jcatalano@mckayfirm.com)
Daniel R. Settana, Jr., Esquire (via e-mail dsettana@mckayfirm.com)

October 21, 2022

The Honorable Walton J. McLeod, IV

RE: Lexington County Common Pleas

Page 3 of 3

Robert F. Goings, Esquire (via e-mail rgoings@goingslawfirm.com)
Jessica L. Gooding, Esquire (via e-mail jgooding@goingslawfirm.com)
Christopher M. Paschal, Esquire (via e-mail cpaschal@goingslawfirm.com)
Brian L. Campbell, Esquire (via e-mail bcampbell@mtglaw.com)
John P. Fetner, Esquire (via e-mail jfetner@mtglaw.com)
J. Pamela Price, Esquire (via e-mail pprice@mtglaw.com)
Kimila L. Wooten, Esquire (via e-mail kwooten@mtglaw.com)
Thomas H. Eller, III, Esquire (via e-mail thomas.eller@scdmv.net)
Allen M. Bogan, Esquire (via e-mail matt.bogan@nelsonmullins.com)
Nicholas A. Charles, Esquire (via e-mail nick.charles@nelsonmullins.com)
Trevor P. Eddy, Esquire (via e-mail trevor@theeddylawfirm.com)
Andrew J. Brown, Esquire (via e-mail andrew@brownlf.com)
Christopher J. Archer, Esquire (via e-mail chris@asfamilylaw.com)
David A. DeMaster, Esquire (via e-mail ddemasters@dml-law.com)
Elizabeth M. Bowen, Esquire (via e-mail beth@cbphlaw.com)
Matthew G. Rogers, Esquire (via e-mail mrogers@oldcourthouse.com)
Ryan M. Wingard, Esquire (via e-mail ryan@oldcourthouse.com)
Richard C. Detwiler, Esquire (via e-mail rickdetwiler@callisontighe.com)
Evan M. Gessner, Esquire (via e-mail egessner@collinsandlacy.com)
Amy M. Snyder, Esquire (via e-mail asnyder@clawsonandstaubes.com)
James C. Mitchell, III, Esquire (via e-mail cmitchell@gwblawfirm.com)
Sarah P. Spruill, Esquire (via e-mail sspruill@hsblawfirm.com)
Herbert E. Buhl, III, Esquire (via e-mail herb@herbbuhl.com)
Joseph D. Dickey, Jr., Esquire (via e-mail joseph@dickeylawsc.com)
Jonathan M. Milling, Esquire (via e-mail jmm@millinglaw.net)
John R. Bailey, Esquire (via e-mail rhodes@mcwhirterlaw.com)
Pamela R. Mullis, Esquire (via e-mail prmullis@mullislawfirm.com)
E. Wayne Ridgeway, Jr., Esquire (via e-mail wayne@burrisslaw.com)
Sonja R. Tate, Esquire (via e-mail state@fulcherlaw.com)



**LEXINGTON
MEDICAL CENTER**

2720 Sunset Boulevard, West Columbia, SC 29169
Ph: (803) 791-2000

NAME Stephen J. Moore AGE _____

ADDRESS _____ DATE 10/21/22

The face of this document has a colored background. The back of this document has a RED Rx.

Rx Mr. Moore developed ~~an~~ an acute medical issue requiring an urgent surgery. He needs to rest and recover for 4 weeks without ~~and~~ stressful activity and not being on his feet for long periods of time.

Refill _____ times

_____ MD _____ MD
DISPENSE AS WRITTEN SUBSTITUTION PERMITTED

T. Brian Howard, MD (803) 739-3660
MD PRINT NAME MD PHONE NUMBER DEA NUMBER

LEXINGTON / 11TH JUDICIAL CIRCUIT COMMON PLEAS CASES:

Krystal Young v. Amazon, et al., – C/A# 2021-CP-32-01108;
Angela Cook, et al., v. Jeanete Barbee, et al., - C/A# 2020-CP-32-00524;
Kimberly Scircle v Justin Corey Callahan – C/A# 2020-CP-32-00810;
J.C. Wilkie Constructions, LLC v. Palmetto Playgrounds, et al.,- C/A# 2020-CP-32-03013;
Beth Taylor v. Fred Errigo, et al., - C/A# 2018-CP-32-03341;
Dale Meermans v. Danny Carlson, et al., - C/A# 2020-CP-32-00692;
Lexington Police Department v. Sammy L. Sadik – C/A# 2020-CP-32-03123;
Brittney L. Keisler v Heather Howard, et al., - C/A# 2021-CP-32-00100;
Carolina Business Equipment v Pollock Company, et al., - C/A# 2021-CP-32-00548;
Barbara Tyler-O’Neal v. Cynthia N. Chambers – C/A# 2021-CP-32-00622;
Jonathon Blake Wicker v. Ryan Iriel, et al., - C/A# 2021-CP-32-01132;
Angela H. Hoover v. Lexington County, et al., - C/A# 2021-CP-32-01435;
Richard Best v. City of Cayce – C/A# 2021-CP-32-01653;
Mike Sturkie, et al., v. Robert May, et al., - C/A# 2021-CP-32-01879;
Bobbi Fletcher-Labreque, et al., v. McGuinn Homes, et al., - C/A# 2021-CP-32-01894;
James O’Dell Barnes v. Shannon Paige Davis, et al., - C/A# 2021-CP-32-02154;
Wodo Cooper, et al., v. Lexington County, et al., - C/A# 2021-CP-32-02472;
Carolina Business Equipment v. William Wayne Petzold – C/A# 2021-CP-32-02618;
Steven C. Benton v. Madison P. Woods – 2021-CP-32-03070;
Lynda Murray v. Jerry Clarida – C/A# 2021-CP-32-03089;
Octavia Jamison v. Mary Ann Jones – C/A# 2021-CP-32-03221;
Beverly Whitehurst v. Walmart, et al., - C/A# 2021-CP-32-03252;
Derricka Moorer v. Charles Riley – C/A# 2021-CP-32-03352;
Ma’Lyssa Austin v. Charles Riley – C/A# 2021-CP-32-03739;
Craig Glass, et al., v. Hands and Hearts Homes Care, LLC – C/A# 2021-CP-32-03961;
Jerry Almond, et al v. Glenda L. Amick, et al., - C/A# 2021-CP-32-04022;
Joe M. Phillips v. K.B. Poole – C/A# 2021-CP-32-04198;
Sandra Odom v. Victoria Jakes – C/A# 2022-CP-32-00129;
Wilmington Savings Fund v. Sheila G. Cassidy Mintz, et al., - C/A# 2022-CP-32-00698;
Robert D. Brown, Jr. v. Clayton Homes, et al., - C/A# 2022-CP-32-00896;
Dana Fidler v. Florence Crouch – C/A# 2022-CP-32-01102;
Jermaine Barr-Ryans v. Madelyn R. Beard – C/A# 2022-CP-32-01134;
Robert M. Gauthier v. Vincent M. Minor – C/A# 2022-CP-32-01361;
Carolina Business Equipment v. Pollock Company, et al., - C/A# 2022-CP-32-01524;
Charles Perrine v. Jay Koon, et al., - C/A# 2022-CP-32-01526;
Naarah Bryant v. Lexington School District Two – C/A# 2022-CP-32-01532;
Scott Miller, et al., v. Carolyn Bedenbaugh, et al., - C/A# 2022-CP-32-01617;
Christopher Black v. Charlie Freeman, et al., - C/A# 2022-CP-32-01847;
William Walkup v Alex Weatherly, et al., - C/A# 2022-CP-32-02073;
Wesley Rhoten v. SC Department of Transportation, et al., - C/A# 2022-CP-32-02201;
Derek Cothran v. The Wooten Family, et al., - C/A# 2022-CP-32-02540;
Rebecca L. Brooks v. Titlemax, et al., - C/A# 2022-CP-32-02586;
Derek Cothran v. City of West Columbia – C/A# 2022-CP-32-02625;
Lester Fitness Club v. Shanon Wetherholt – C/A# 2022-CP-32-02740;
Doris Simmons, et al., v. Town of Swansea, et al., - C/A# 2022-CP-32-02829;
Jerrick O. Hill v. Haley R. Williamson – C/A# 2022-CP-32-03062;
McGuinn Homes v. David Medley, et al., - C/A# 2022-CP-32-03418

SALUDA / 11TH JUDICIAL CIRCUIT COMMON PLEAS CASES:

Kerry Brown v. Thomas Livingston – C/A# 2018-CP-41-00244

Amanda Freitas v. Kim W. Smth – C/A# 2021-CP-41-00101

RECEIVED

Oct 31 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Debra R. McCaslin, Circuit Court Judge

Appellate Case No. 2022-000597

Case No. 2019-CP-32-01442

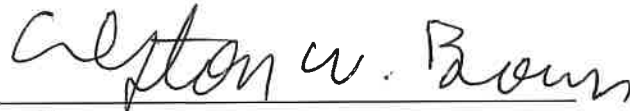
Suzan Garland,Respondent,

v.

Robert Cade and Christy Cade, Appellants.

PROOF OF SERVICE

The undersigned certifies that this 31st day of October, 2022, he caused to be served the Motion for Extension of Time to File Initial Brief and Designation of Matter of Respondent via electronic mail addressed to attorneys of record for Appellants Robert Cade and Christy Cade: S. Jahue Moore, Moore Bradley Myers, P.A., jake@mbmlawsc.com



H. Freeman Belser [SC Bar No. 72403]
Creston W. Brown [SC Bar No. 104086]
Belser & Belser, P.A.
1325 Park Street, Suite 300
Columbia, South Carolina 29201
Post Office Box 96 (29202)
(803) 929-0096
Attorneys for Respondent

Rebecca Schwind

From: Rebecca Schwind
Sent: Monday, October 31, 2022 10:43 AM
To: jake@mbmlawsc.com
Cc: Creston Brown; Freeman Belser
Subject: Garland v. Cade Case No. 2022-000597
Attachments: Motion for Extension of Time to File Initial Brief of Respondent.pdf; Proof of Service.pdf

Good Morning,

Attached for service upon you in the above referenced matter is the Motion for Extension of Time to File Initial Brief and Designation of Matter of Respondent along with the Proof of Service. Service is made via email pursuant to the Supreme Court Order 2021-08-25-02.

Sincerely,
Rebecca Schwind



Rebecca Schwind

Belser & Belser, PA
1325 Park Street, Suite 300 (29201)
P.O. Box 96, Columbia, SC 29202
Phone: (803) 929-0096, Fax: (803) 929- 0196
E-Mail: Rebecca@BelserPA.com