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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Shannon M. Phillips, Master-in-Equity

Appellate Case No. 2022-000393

U.S. Bank Trust, N.A. as Trustee for LSF10 Master Participation Trust,.....Respondent,

v.

Austin A. Lowery a/k/a Austin Lowery a/k/a Austin Allen Lowery a/k/a Allen Lowery, individually, and as Heir or Devisee of the Estate of Lisa D. Lowery a/k/a Lisa Marie Davis Lowery, Deceased; South Carolina Department of Revenue; The United States of America acting by and through its agency, Department of the Treasury - Internal Revenue Service; and Elizabeth A. Lowery,.....Defendants,

Of whom Austin A. Lowery a/k/a Austin Lowery a/k/a Austin Allen Lowery a/k/a Allen Lowery, individually, and as Heir or Devisee of the Estate of Lisa D. Lowery a/k/a Lisa Marie Davis Lowery, Deceased, is the.....Appellant.

MOTION TO EXTEND DEADLINE TO SERVE AND FILE INITIAL BRIEF
AND DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL

Appellant hereby moves pursuant to Rule 263(b), SCACR, for an extension of the time in which to serve and file the Appellant’s initial brief and designation of matter to be included in the record on appeal. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The subject deadline is today, and Appellant's counsel has not yet completed the initial brief but has done work on the same. Appellant's counsel has had to help a friend with a time-sensitive and time-intensive matter during the past few weeks, and he has also taken on a new client with a time-sensitive important matter that requires significant work today and prevents his ability to complete the brief today
2. This is the fifth extension sought of this deadline, and no further extension will be sought by the undersigned.
3. Appellant seeks a 10-day extension to accommodate these extraordinary circumstances.
4. There is good cause for the requested extension.
5. The undersigned has served this document on opposing counsel by email to registered AIS email address on the date given below.

WHEREFORE Appellant prays for an order extending the time in which to serve and file the Appellant's initial brief and designation of matter to be included in the record on appeal by 10 days.

Respectfully submitted,

/s/ Andrew S. Radeker
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PROOF OF SERVICE

I certify that I have served the foregoing motion for extension on the date given below by emailing it to counsel for the Respondent at the address(es) noted below.

J. Derrick Jackson, Esq., at dj@tobywardlaw.com
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H. Guyton Murrell, Esq., at guytonm@scottandcorley.com

/s/ Andrew S. Radeker
Andrew S. Radeker
S.C. Bar No. 73743
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November 9, 2022