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Dec 09 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

James E. Chellis, Master-In-Equity

Appellate Case No. 2020-001127

1st Franklin Financial
Corporation

Respondent,

v.

Roby A. Adams

Appellant.

MOTION FOR EXTENSION OF TIME TO FILE MOTION TO SUBSTITUTE APPELLANT

John R. Cantrell, Jr., SC Bar # 10309
Cantrell Legal, PC
108 Phillips Ct.
St. Matthews, SC 29135-8582
(843) 797-2454
johncantrelljr@gmail.com
Attorney for Appellant

Appellant files this Motion for an Extension of Time to File Motion to Substitute Appellant. By Order issued December 7, 2022, this court has ordered Appellant to file a Motion to Substitute the personal representative of the former Appellant's estate as the Appellant due to Appellant's death while this matter has been pending in this court. However, until yesterday, December 8, 2022, Appellant's counsel was unaware of the name and contact information for the estate's personal representative, and counsel was just able to make initial contact with the personal representative yesterday. Unfortunately, Appellant's counsel has a previously scheduled Christmas vacation and will be out of state from today until December 26, 2022, which is after the 15-day deadline provided by the court in the recent order, which is due on December 22, 2022. Appellant therefore respectfully requests that this court extend the deadline for a total of 30 days, which would make the Motion to Substitute due to be filed by January 6, 2022.

Appellant's counsel has communicated with opposing counsel via email, and opposing counsel does not object to this motion for an extension of time.

WHEREFORE, Appellant respectfully requests that the court take the following actions:

- A. Allow Appellant until January 6, 2022 to file a Motion to Substitute the Appellant in this case.
- B. For such other relief as may seem appropriate to the court.

Dated this December 9, 2022

/s/ John R. Cantrell, Jr.
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PROOF OF SERVICE

All counsel of record have been served with this Motion for Extension of Time by simultaneous email service to their email address of record indicated below on this December 9, 2022.

Email addresses served:

Robert C. Osborne III at his email address of robertosborne@parkerpoe.com and Robert H.

Jordan at his email address of robertjordan@parkerpoe.com.

/s/ John R. Cantrell, Jr.

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ST. MATTHEWS, SC 29135-8582
843-797-2454 (voice/fax)
Email: johncantrelljr@gmail.com

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

RE: 1st Franklin Financial Corporation v. Roby A. Adams
Case No. 2020-001127

Dear Miss Kitchings:

Enclosed please find the filing fee of \$50.00 for Appellant's Motion for Extension of Time to File Motion to Substitute Appellant, which motion is being filed with the court via email, with copies via email to the parties indicated below.

/s/ John R. Cantrell, Jr.
John R. Cantrell, Jr.
Cantrell Legal, PC
108 Phillips Ct.
St. Matthews, SC 29135-852
(843) 797-2454
Attorney for Appellant

cc : Robert C. Osborne III and Robert H. Jordan via email only