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Dec 22 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeal

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

The Honorable Steven C. Kirven, Master in Equity

Appellate Case No.: 2022-001189

Montgomery Holdings, LLC d/b/a IBI BuildersRespondent,

v.

Christopher J. Merlo and Grandsouth BankDefendants.

AND

Christopher J. MerloAppellant,

v.

Gregory K. Grissinger, Jr. and John MontgomeryRespondents.

**MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT’S INITIAL REPLY BRIEF AND DESIGNATION OF MATTER**

Pursuant to Rule 240, SCACR, Appellant Christopher J. Merlo hereby requests that the Court grant an extension in which to file his Initial Brief and Designation of Matter in the above-captioned matter. The transcript in this matter was received on November 22, 2022 and Appellant’s Initial Brief was due today, December 22, 2022. Counsel for Appellant believes that the requested extension will neither prejudice the parties nor unduly delay this appeal. Counsel for Appellant is making this request because in the past month and throughout the course of this month, counsel for Appellant has been ill and engaged in mediations, motion hearings and

depositions.

No memorandum in support of this motion is being filed as it is counsel's belief that such memorandum would not aid the Court in ruling on the motion.

Respectfully submitted,



Townes B. Johnson III, S.C. Bar # 75412

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Attorney for the Appellant

December 22, 2022
Greenville, South Carolina

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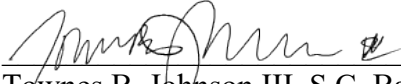
PROOF OF SERVICE

I certify that I have served the foregoing Motion for Extension of Time on the above-named Respondents by e-mail on December 22, 2022, addressed to counsel of record as follows.

Jason M. Tarokh
PO Box 10827
Tampa, FL 33679
Attorneys for the Respondent

(signature page to follow)

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December 22, 2022

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

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SC Court of Appeals

RE: **Montgomery Holdings, LLC v. Christopher J. Merlo**
Appellate Case No. 2022-001189

Dear Ms. Kitchens:

Enclosed for filing, please find the following in connection with the above-referenced matter:

1. Appellant's Motion for Extension of Time, and
2. Appellant's Proof of Service

The filing fee in the amount of \$50 will be placed in the mail today.

Sincerely,

Townes B. Johnson III, S.C. Bar # 75412

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