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Jan 25 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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 Builders.....Respondent,

v.

Christopher J. Merlo and Grandsouth Bank.....Defendants.

AND

Christopher J. Merlo.....Appellant,

v.

Gregory K. Grissinger, Jr. and John Montgomery.....Respondents.

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

Pursuant to Rule 240(a) SCACR, Appellant Christopher J. Merlo hereby requests that the court grant an extension in which to file its Initial Brief and Designation of Matter in the above-captioned matter. 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 due to his trial, deposition and mediation schedule.

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 (SC Bar# 75412)

Townes B. Johnson, III, LLC

P.O. Box 9246

Greenville, South Carolina 29604

PH: (864) 757-4899

Attorney for Appellant

Greenville, South Carolina

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PROOF OF SERVICE

The undersigned hereby certifies that a true copy of Christopher J. Merlo's Motion for Extension of Time to Serve Appellant's Initial Reply Brief in the above-referenced case has been served on all parties of record by mailing a copy of same in the United States mail, postage prepaid this 25 day of January 2023, addressed as follows:

Jason M. Tarokh
P.O. Box 110827
Tampa, FL 33679
Attorney for Respondent



Townes B. Johnson III (SC Bar# 75412)

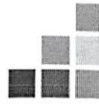
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TOWNES B. JOHNSON III, LLC

ATTORNEY AT LAW

January 25, 2023

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: Montgomery Holdings, LLC d/b/a IBI Builders v. Christopher J. Merlo and
Grandsouth Bank AND Christopher J. Merlo v. Gregory K. Grissinger, Jr.
and John Montgomery
Appellate Case No. 2022-001189**

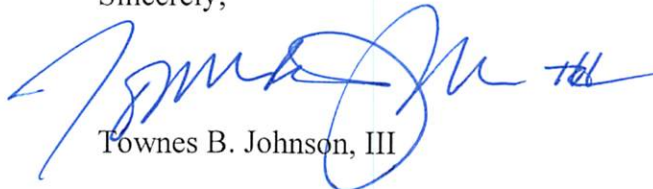
Dear Ms. Kitchings:

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

- (1) Email enclosing copies of Appellant's Motion to File Out of Time and Proof of Service for same; and
- (2) the filing fee in the amount of \$50.00

Once filed, please return a file-stamped copy of same in the enclosed prepaid envelope.

Sincerely,



Townes B. Johnson, III

cc: Jason M. Tarokh, Attorney for Respondent