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Feb 23 2023
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Brian L. Boger, Special Referee

Appellate Case No. 2022-000947

Lisa Cruz,.....Respondent,

v.

Heyward Bouknight and Kathy Bouknight.....Appellants.

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 eight-day extension to March 3, 2023, of the time in which to serve and file the Appellant's initial reply 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 current deadline subject of this motion is today February 23, 2023, and Appellant's counsel has done substantial work on the initial reply brief but does not anticipate being able to finish it tonight. Appellant's counsel contracted COVID-19, and an earlier extension was granted because of that. Since that time, he has recovered from COVID-19 rather quickly, but his father, who lives in Florida, fell

and broke his hip, and he had to travel there over the weekend. The Supreme Court granted him only a two-day extension of time for a rather hefty reply brief in that court, which made the deadline for that brief today. It is 7:02 p.m. as he writes this sentence, and he just finished that brief a few minutes ago. He attended a CLE seminar yesterday, had a hearing and a deposition today, and has two (and possibly three) cases up for trial next week, at least one of which is likely to go forward.

2. Appellants' counsel typically has a busy schedule, but this week has been exceptional. These things have taken away almost all of the time he had to complete the reply brief.
3. Accordingly, an extension is needed.
4. This is the second extension sought of this deadline.
5. Appellants' counsel would not normally need eight days to complete the remaining drafting of the brief, but he asks for this time in light of the substantial possibility that he will be in trial for at least some of next week.
6. There is good cause for the requested extension.
7. The undersigned has served this document on opposing counsel by email to registered AIS email address on the date given below.

WHEREFORE Appellants pray for an order extending the time in which to serve and file the Appellants' initial reply brief and designation of matter to be included in the record on appeal to March 3, 2023.

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.

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February 23, 2023

Respectfully submitted,

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