

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2022-001557
Common Pleas Case No. 2016-CP-42-01854

Chandelle Property Owners AssociationRespondent,

v.

James Douglas Armstrong, Jane Armstrong, Kenneth L. Galloway, Molly C. Galloway, Warren Johnson, Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust, dated October 26, 2006, and also all other persons unknown, claiming any right, title, estate, interest in or lien upon the real estate described in the complaint herein, Defendants,

and

James Douglas Armstrong, Jane Armstrong, Warren Johnson, Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust dated October 25, 2006, Third-Party Plaintiffs,

v.

Billy J. Israel, Bruce R. Goldberg, Cindy R. Goldberg, and George Lynn Fleming in their personal and official capacities, Third-Party Defendants,

and

Kenneth L. Galloway and Molly C. Galloway, Third-Party Plaintiffs,

v.

Billy J. Israel, Bruce R. Goldberg, Cindy R. Goldberg, and George Lynn Fleming, in their personal and official capacities, Third-Party Defendants,

Of whom James Douglas Armstrong, Jane Armstrong, Warren Johnson,

**THIS COMMUNICATION IS FOR THE PURPOSE OF COLLECTING A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren
as Trustee of the Greer R.G. Irrevocable Property Trust dated
October 25, 2006, are the Appellants.

**RESPONDENT'S MOTION FOR FIRST EXTENSION OF TIME TO SERVE AND FILE
RESPONDENT'S INITIAL BRIEF AND DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Ely O. Grote, SC Bar No. 75379
D. Ryan McCabe, SC Bar No. 16977
MCCABE, TROTTER & BEVERLY, P.C.
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ATTORNEY FOR RESPONDENT

Pursuant to Rule 263(b), SCACR, Respondent hereby moves for a 30-day extension of time in which to serve and file Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal. The grounds for this Motion are as follows:

1. The deadline for service and filing of Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal is currently March 20, 2023. With the requested extension, the deadline would become April 19, 2023.
2. This is the first extension that Respondent has sought in this Appeal.
3. Such extension is necessary in order to allow counsel to fully and adequately prepare Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal.

WHEREFORE, Respondent prays for an Order extending the time in which to serve and file Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal to April 19, 2023.

Respectfully submitted,

MCCABE, TROTTER & BEVERLY, P.C.

s/ Ely O. Grote

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ATTORNEY FOR RESPONDENT

March 13, 2023

Columbia, South Carolina

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and

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as Trustee of the Greer R.G. Irrevocable Property Trust dated
October 25, 2006, are the Appellants.

PROOF OF SERVICE

I, Ely O. Grote, certify that I have served, or caused to be served, Respondent’s Motion for First Extension of Time to Serve and File Respondent’s Initial Brief and Designation of Matter to be Included in the Record on Appeal on Appellants, via their counsel of record, Wendell L. Hawkins, and on all other counsel of record, James P. Walsh and John D. Harjehausen, on March 13, 2023, by email utilizing their email address listed in AIS as follows:

Wendell L. Hawkins
Wendell L. Hawkins, PA
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Attorney for Appellants

James P. Walsh
John D. Harjehausen
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**Additional counsel of record for
Respondent**

/s/ Ely O. Grote

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Licensed to practice in South Carolina

March 13, 2023

RECEIVED
Mar 13 2023
SC Court of Appeals

VIA EMAIL ONLY

The Honorable Jenny Abbot Kitchings
Clerk of Court, South Carolina Court of Appeals
ctappfilings@sccourts.org

Re: Chandelle Property Owners Association v. James Douglas Armstrong, et al.
Appellate Case No. 2022-001557
MTB File No.: 018771.00021

Dear Ms. Kitchings:

Enclosed, please find Respondent's Motion for First Extension of Time to Serve and File Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal. Additionally, a check from this firm for the associated filing fee of \$50.00 is being mailed to the Court.

Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Ely O. Grote

cc: D. Ryan McCabe, Wendell L. Hawkins, James P. Walsh, John D. Harjehausen (via email only)