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Apr 06 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM
RICHLAND COUNTY COURT OF COMMON PLEAS
The Honorable DeAndrea Gist Benjamin, Circuit Court Judge

Appeal No.: 2022-001010

Michelle Corley,Appellant,

v.

Phil Martin, Chip Barrs, Jordan Corley Lee,
As Personal Representative of the Estate of
Julia Ann Martin, and John Meetze and Kenneth
Little, as co-Trustees of the Elzie Thomas Meetze Trust
And the Polly Ann Blackmon Meetze Trust..... Respondents.

**RESPONDENT PHIL MARTIN’S SECOND MOTION
FOR EXTENSION OF TIME
AND MOTION FOR LEAVE TO FILE OUT OF TIME**

Respondent Phil Martin hereby moves for a second extension of time in which he must file Respondent’s Initial Brief and Designation of Matter. Although Respondent initially filed a letter on January 25, 2023 seeking an extension, that request was not acted on in light of this Court’s deficiency letter to Appellant Michelle Corley, instructing her to file a Designation of Matter. (Exh. A). Appellant subsequently served her Designation of Matter on February 3, 2023, making Respondent Martin’s Initial Brief and Designation of Matter due on or before March 6, 2023. On March 6, 2023, Respondent sought a 30-day extension of time which to file his Initial Brief and Designation of Matter. On March 7, 2023, this Court granted the extension, calling it Respondent’s second extension. However, Respondent has only received one, 30-day

extension in this appeal to date. In any event, Respondent needs this extension because the parties have reached a settlement and are waiting for Appellant to file a dismissal of this appeal.

Respondent is one day late in requesting this extension and, therefore, is also seeking leave from the Court to file out of time. Respondent's Initial Brief and Designation of Matter were due on March 5, 2023 and, with the 30-day extension, will be due on May 5, 2023. As noted above, this is Respondent's second request for an extension.

April 6, 2023

McANGUS GOUDELOCK & COURIE, LLC

s/Helen F. Hiser

Helen F. Hiser

S.C. Bar No.: 76124

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Attorneys for Respondent Phil Martin



The South Carolina Court of Appeals

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CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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January 31, 2023

Ms. Helen F Hiser, Esquire
PO Box 650007
Mount Pleasant SC 29465

Re: Michelle Corley v. Phil Martin
Appellate Case No. 2022-001010

Dear Counsel:

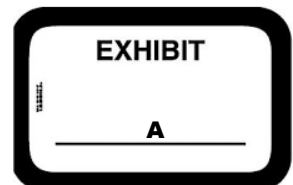
The Court has received your motion for an extension of time in which to serve and file the initial brief of respondent and designation of matter. On January 24, 2023, the Court sent a deficiency letter to counsel for the appellant for failure to file a designation of matter with their brief, therefore your initial brief and designation of matter are not due at this time and no action will be taken on your motion. The initial brief of respondent and designation of matter will be due to be served and filed within thirty days of the service of the appellant's designation of matter.

Very truly yours,

A handwritten signature in blue ink that reads "V. Claire Allen".

CLERK

cc: Adam Tremaine Silvernail, Esquire
Thomas E. Lydon, Esquire
Jonathan Edward Spitz, Esquire
Henry H. Taylor, Esquire
Charles M. Black, Jr., Esquire



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v.

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As Personal Representative of the Estate of
Julia Ann Martin, and John Meetze and Kenneth
Little, as co-Trustees of the Elzie Thomas Meetze Trust
And the Polly Ann Blackmon Meetze Trust..... Respondents.

PROOF OF SERVICE

I certify that on the 6th day of April 2023, I served **Respondent Phil Martin’s Second Motion for Extension of Time and Motion for Leave to File Out of Time** on Michelle Corley by emailing a copy of it to her counsel and to other counsel of record as follows:

Adam T. Silvernail, Esq.
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Michelle Corley*

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as Personal Representative of the Estate of
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Counsel for Respondents John Meetze

*And Kenneth Little, as co-Trustees of the
Elzie Thomas Meetze Trust and the Polly
Ann Blackmon Meetze Trust*

s/Helen F. Hiser

Helen F. Hiser

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Attorneys for Respondent Phil Martin



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SC Court of Appeals

Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
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April 6, 2023

Via S.C. Courts E-Filing & U.S. Mail

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

RE: Michelle Corley v. Phil Martin, Chip Barrs, Jordan Corley Lee, as Personal Representative of the Estate of Julia Ann Martin, and John Meetze and Kenneth Little, as co-Trustees of the Elzie Thomas Meetze Trust and the Polly Ann Blackmon Meetze Trust
Case No.: 2021-CP-40-4558
Our File No.: 22587.21000
Appeal No.: 2022-001010

Dear Ms. Kitchings:

Enclosed please find the original of Respondent Phil Martin's Second Motion for Extension of Time and Motion for Leave to File Out of Time, and the Proof of Service in the above-referenced matter. We are serving counsel of record via email only. We will send our firm's check in the amount of \$50 for filing the motion via U.S. Mail with a copy of this letter.

Please do not hesitate to contact the undersigned if the Court requires additional copies and/or if you have any questions.

Yours truly,

McAngus Goudelock & Courie, LLC

Helen F. Hiser

Enclosures

cc: Adam T. Silvernail, Esquire (via email only)
Johnathan E. Spitz, Esquire (via email only)
Henry H. Taylor, Esquire (via email only)
Charles M. Black, Jr., Esquire (via email only)