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Apr 24 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge
William B. McKinnon, Circuit Court Judge

Appellate Case No. 2022-000288

Angela Patton, as Next Friend of Alexia L., a minor, Respondent,

v.

Dr. Gregory A. Miller and Rock Hill Gynecological & Obstetrical Associates, P.A.,..... Appellants.

RESPONDENT’S MOTION FOR EXTENSION OF TIME

Respondent, through counsel, hereby moves for a final 20-day extension of time for filing her initial brief. The current deadline to file and serve the Initial Brief of Respondent is today, April 24, 2023. Due to extraordinary circumstances, Respondent respectfully request an additional 20-day extension. This would make the new deadline May 15, 2023, given that the 14th is a Sunday. Counsel has previously received two 30-day extensions.

The extraordinary circumstances are as follows: Counsel has recently encountered three stressful and time-consuming family situations. One relates to a series of domestic crises involving his and his wife’s son and two grandchildren in Kings Mountain, NC, and the now estranged wife.

The second relates to overseas military obligations of counsel's youngest son. He is employed by a private military contractor and has been working with the Army, primarily out of Fort Bragg. Until the last year or so, he trained Army specialists in the proper use and maintenance of state-of-the-art satellite communications technology. He traveled extensively to Army bases across the country and was on-call to Army personnel world-wide.

A year or so ago he was promoted to another position with a much higher security clearance. His current security level prohibits him from telling us what his current work entails. He has been called upon to transfer to Germany and will depart in less than two weeks. We are only permitted to know his home base in Germany, that he will be traveling to various locations in Europe which he cannot identify, that his time in Europe is currently unpredictable, and that he will have personal bodyguards when traveling off-base.

We infer that he will be supporting the war efforts in Ukraine but are uncertain. We have no idea what he will be doing, and why bodyguards have been assigned to him.

Third, we were informed last week that his wife had a miscarriage of his first child.

Repercussions from these events have demanded much of my time in recent days and weeks. As I am a solo practitioner, I have been unable to recruit a colleague for assistance with the preparation of the brief.

Although I have made considerable progress, these distractions, in addition to other professional obligations, have delayed my completion of the brief.

For these reasons Respondent needs an additional 20-day extension of the current deadline. Allowing an extension of twenty (20) days will not prejudice Appellants. Respondent therefore respectfully requests the Court to extend the final deadline for filing of her Brief to May 15, 2023.

Respectfully submitted,

Anderson, South Carolina
April 24, 2023

GRAHAM LAW FIRM, P.A.

By: s/Edward L. Graham
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Attorneys for Respondent

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V.

Dr. Gregory A. Miller and Rock Hill Gynecological & Obstetrical
Associates, P.A., Appellants

PROOF OF SERVICE

I, the undersigned Paralegal of the law offices of Graham Law Firm, P.A., Attorneys for Angela Patton, as Next Friend of Alexia L., a minor do hereby certify that on April 24, 2023, I served all counsel in this action with a copy of the pleading(s) hereinbelow by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System.

Pleadings Served: **RESPONDENTS'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF**

Counsel Served: Ashby W. Davis, Esquire
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Eugene B Benton

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From: Eugene Benton
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'susie@jordanlawfirmnpc.com'
Subject: RE: Angela Patton v. Dr. Gregory A. Miller (2) 2022-000288
Attachments: 20 day Ext re Filing Initial Brief.pdf; Proof of Service-Resp Mot for Ext 4-24-23.pdf

Please see the attached from Mr. Graham. Same will be filed shortly.

From: Eugene Benton
Sent: Wednesday, March 22, 2023 10:15 AM
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Subject: RE: Angela Patton v. Dr. Gregory A. Miller (2) 2022-000288

Attached for service upon you in the above matter Respondent's Motion for Extension and Proof of Service. Service is made via email pursuant to the Supreme Court Order 2021-08-25-02.

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