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May 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Walton J. McLeod, Circuit Court Judge

Appellate Case No. 2022-001602

Rene S. Wells and Wilson
Shealy, Jr., as Co-Personal
Representatives of Wilson
Shealy, Sr., Respondent,

v.

David Shealy, Appellant.

David Shealy, Appellant,

v.

Rene Shealy Wells, Wilson
Shealy, Jr., and Mimi Shealy, Respondents.

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

Appellant David Shealy hereby moves this court pursuant Rule 263(b) SCACR for an additional thirty (30) days to file Appellant's Initial Brief and Designation of Matter. At this time, Appellant's Initial Brief is due on Monday, May 15, 2023. If the extension is granted, Appellant's Initial Brief and Designation of Matter would be due on June 14, 2023. This is Appellant's first request for an extension to file the Appellant's Initial Brief.

The grounds for this motion are that the Appellant's counsel has prior appeals pending with briefs due, proposed orders for judges, and other matters pending and has not had sufficient time to complete drafting Appellant's Initial Brief and Designation of Matter. Appellant's counsel has consulted with Respondents' counsel, but has not received a response.

WHEREFORE, having set forth the grounds therefore, the Appellant moves this court for an additional thirty (30) days to file Appellant's Initial Brief.

May 12, 2023

s/ J. Derrick Jackson
J. Derrick Jackson, SC Bar 15192
Tobias G. Ward, Jr., PA
Post Office Box 50124
Columbia, South Carolina 29250
(803) 708-4200
Attorney for Appellant

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THE STATE OF SOUTH CAROLINA
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APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Walton J. McLeod, Circuit Court Judge

Civil Action No. 2021-CP-32-00633
Appellate Case No. 2022-001602

Rene S. Wells and Wilson
Shealy, Jr., as Co-Personal
Representatives of Wilson
Shealy, Sr.,

Respondent,

v.

David Shealy,

Appellant.

David Shealy,

Appellant,

v.

Rene Shealy Wells, Wilson
Shealy, Jr., and Mimi Shealy,

Respondents.

PROOF OF SERVICE

I certify that I have served the Appellant's Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter on the Respondents by email on May 12, 2023, addressed to their attorneys of record as follows:

Richard R. Gleissner, Esquire
Gleissner Law Firm, L.L.C.
rick@gleissnerlaw.com

Eric S. Bland, Esquire
Bland Richter, LLP
ericbland@blandrichter.com

(Signature on the following page)

May 12, 2023

s/ J. Derrick Jackson
J. Derrick Jackson
Tobias G. Ward, Jr., PA
Post Office Box 50124
Columbia, South Carolina 29250
(803) 709-4200
Attorney for Appellant

From: dj tobywardlaw.com
Sent: Friday, May 12, 2023 10:06 AM
To: 'rick@gleissnerlaw.com'; 'Eric S. Bland'
Cc: Toby Ward; William Plumides
Subject: RE: Appellate Case No. 2022-001602, Rene S. Wells et. al. vs David Shealy vs Rene S. Wells et. al.
Attachments: 2023-05-11 Shealy Motion for Extension.pdf

Gentlemen:

Attached and served upon you as counsel for the Respondents is Appellant's Motion for Extension to file Appellant's Initial Brief and Designation of Matter.

/Derrick Jackson

J. Derrick Jackson
Tobias G. Ward, Jr. PA
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(803) 708-4200 (Phone)
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From: dj tobywardlaw.com
Sent: Wednesday, May 10, 2023 11:54 AM
To: rick@gleissnerlaw.com; 'Eric S. Bland' <ericbland@blandrichter.com>
Cc: Toby Ward <tw@tobywardlaw.com>; William Plumides <william@tobywardlaw.com>
Subject: Appellate Case No. 2022-001602, Rene S. Wells et. al. vs David Shealy vs Rene S. Wells et. al.

Gentlemen:

By my calculations, the Appellant's Initial Brief and Designation of Matter are due on Monday, May 15, 2023. I plan on requesting a thirty (30) day extension as I have been swamped here at work with multiple appeals, hearings and other matters.

Do you have any objections?