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Jun 14 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Spartanburg County
Court of Common Pleas

Roger L. Couch, Circuit Court Judge
R. Keith Kelly, Circuit Court Judge

Cases No. 2012-CP-42-04733 and -04915
Appellate No.: 2023-000506

Jonathan Bryant,

Petitioner,

v.

Kevin Fountain,

Respondent.

In re:

Southern Wholesale, Inc.,

Plaintiff,

v.

Chad Kerr and Jonathan Bryant,

Defendants,

and

Jonathan Bryant,

Third-Party Plaintiff,

v.

Kevin Fountain and Specialty Equipment Leasing, Inc.,

Third-Party Defendants.

Of which Kevin Fountain, Southern Wholesale, Inc.,
and Speciality Equipment Leasing, Inc., are

Appellants,

and Jonathan Bryant is

Respondent.

**MOTION FOR EXTENSION OF TIME TO FILE/SERVE
INITIAL BRIEF OF APPELLANTS**

**Counsel identified on the following page*

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Attorneys for Appellants

COME NOW Appellants, Kevin Fountain, Southern Wholesale, Inc., and Speciality Equipment Leasing, Inc., by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of thirty (30) days' additional time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, in accordance with Rule 208(a)(1), the deadline for Appellants' initial brief and designation of matter is June 14, 2023. On account of work-related and other time commitments, Appellants respectfully request this deadline be extended by 30 days. Respectfully, Appellants believe this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondent.

WHEREFORE, Appellants move this Honorable Court to grant them an additional extension of 30 days' time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving their initial brief and designation of matter would be July 14, 2023, according to the undersigned's calculations. Further, Appellants respectfully request the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

[signature on next page]

[Signature page for Motion for Extension of Time to File/Serve Initial Brief of Appellants,
Appellate No.: 2023-000506]

Respectfully submitted,

By: s/Russell G. Hines
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Charleston, South Carolina

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Respondent.

PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF APPELLANTS** was served on Respondent on June 14, 2023, by emailing (see attached service email) a copy of the same to Respondent's counsel of record:

Scott F. Talley, Esquire
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Additional Counsel for Appellants

Respectfully submitted,

By: s/Russell G. Hines
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June 14, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Wednesday, June 14, 2023 1:54 PM
To: 'W. Westbrook Wills III'; 'scott@talleylawfirm.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Bryant v. Fountain ; Appellate Case No. 2023-000506 (CR 230287)
Attachments: 1st Motion for Extension - initial brief.pdf

Enclosed please find Appellants' Motion for Extension of Time to File/Serve their Initial Brief which will be filed today in the above-referenced matter.

Thank you,

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