

RECEIVED

Jun 20 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable Teasa K. Weaver
Master-In-Equity

Case No. 2020-CP-46-3434

Appellate Case No. 2023-000740

John Patton and Tara Patton (*Plaintiffs*),

Appellants,

v.

Palmetto Contracting Services of York County, LLC and
Lester Van Epps (*Defendants*),

Respondents.

**Second Consent Motion for Extension of Time to Serve Initial Brief and Designation of
Matters for Inclusion in Record on Appeal**

COMES NOW, the Appellants, John Patton and Tara Patton (“Appellants”), with the written consent of counsel for the Respondents, pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully move this Court of Appeals for a thirty (30) day extension of time to serve their Initial Brief and Designation of Matters for Inclusion in Record on Appeal for the reasons and good cause set forth below:

1. Pursuant to Rule 208(a)(1) and Rule 209(a), SCACR, Appellants' Initial Brief and Designation of Matters for Inclusion in the Record are due to be filed on or before June 23, 2023.

2. Appellants previously received a thirty (30) day extension of time to serve their Initial Brief and Designation of Matters for Inclusion in the Record.

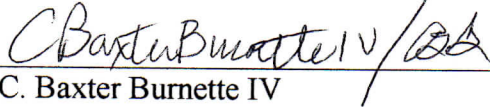
3. Appellants file this motion requesting an additional thirty (30) day extension to file their Initial Brief and Designation of Matters for Inclusion in the Record with the written consent of counsel for the Respondents.

4. C. Baxter Burnette IV, attorney for Appellants, broke bones in his dominant right hand on June 18, 2023, and will have no use of this hand until he can be treated by an orthopedic surgeon. Attorney anticipates this treatment to begin within one week.

5. Appellants have consulted with counsel of record for Respondents and counsel consents to Appellants' extension request.

6. If this extension is granted, Appellants believe the extension of time would provide Appellants until July 24, 2023 to serve and file their Initial Brief and Designation of Matters for Inclusion in the Record on Appeal.

Therefore, for the foregoing reasons and with the consent of Respondents' counsel of record, Appellants ask the Court to grant them a thirty (30) day extension of time to file their Initial Brief and Designation of Matters for Inclusion in the Record on Appeal.


C. Baxter Burnette IV
BurnetteLaw, LLC
414 E. Main Street
Rock Hill, SC 29730
(803) 328-1800 ext. 23
ATTORNEY FOR APPELLANTS

June 20, 2023
Rock Hill, South Carolina

RECEIVED

Jun 20 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable Teasa K. Weaver
Master-In-Equity

Case No. 2020-CP-46-3434

Appellate Case No. 2023-000740

John Patton and Tara Patton (*Plaintiffs*),

Appellants,

v.

Palmetto Contracting Services of York County, LLC and
Lester Van Epps (*Defendants*),

Respondents.

PROOF OF SERVICE

I, the undersigned employee of BurnetteLaw, LLC, hereby certify that pursuant to Rules 203 and 262(b), SCACR, I have served the Appellants' Second Consent Motion for Extension of Time on counsel of record by mailing a copy, United States Mail, first-class postage prepaid, on June 20, 2023, to the following address:

Daniel D. D'Agostino
D'Agostino Law Firm
1171 Market Street, #102
Fort Mill, SC 29708

C. Baxter Burnette IV / BB

C. Baxter Burnette IV
BurnetteLaw, LLC
414 E. Main Street
Rock Hill, SC 29730
(803) 328-1800 ext. 23

RECEIVED

Jun 20 2023

SC Court of Appeals

BurnetteLaw, LLC
Attorneys at Law

Charles B. Burnette III
C. Baxter Burnette IV

414 E. Main Street
Rock Hill, SC 29730

Telephone (803) 328-1800
Fax (803) 328-9494
bburnette@burnettelaw.net

June 20, 2023

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

RE: *John Patton and Tara Patton, Appellants,*
v. Palmetto Contracting Services of York County, LLC and Lester Van
Epps, Respondents.
Appellate Case No.: 2023-000740

Dear Ms. Kitchings:

Please find enclosed an original and three (3) copies of the Appellants' Second Consent Motion for Extension of Time to Serve Initial Brief and Designation of Matter for Inclusion in Record on Appeal. The Appellants file this Motion with the written consent of counsel of record. I would appreciate it if you would file the same and return a stamped filed copy in the envelope provided. I also am enclosing our firm's check in the amount of Fifty Dollars (\$50.00) for the filing fee.

By copy of this letter, I am providing counsel of record with a copy of the same. If you have any questions, please do not hesitate to contact me at (803) 328-1800 ext. 23. Thank you for your cooperation in this matter.

Regards,



C. Baxter Burnette IV

CBBIV/bg
Enclosures

cc: Daniel D. D'Agostino, Esquire