

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY  
Spartanburg County Court of Common Pleas  
J. MARK HAYES, II, CIRCUIT COURT JUDGE

69067

2011-ES-42-00162  
Case No. 2012-CP-42-3705  
Appellate Court Case 2013-001246

Willie A. Rogers and Vennie Rogers.....Appellants,

vs.

Charles Carr, in his individual and Official Capacity as the Personal  
Representative of the Estate of Thurman L. Bomar, Deceased, Katherine  
Christian and Joyce King .....Respondents.

**MOTION FOR A THIRTY (30) DAYS EXTENSION FOR THE APPELLANTS  
TO SUBMIT THEIR INITIAL APPELLANTS' BRIEF AND DESIGNATION OF  
MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL**

The Appellants move this court pursuant to Rules 263 and 240 of the S. C.  
Appellate Court Rules for an Order granting the Appellants a Thirty (30) days Extension  
in which to submit their Appellants' Initial Brief and the Designation of Matters to be  
included into the Record on Appeal. Said motion will be based on the following grounds:

1. That the Appellants, through their undersigned Attorney, filed their Notice of  
Appeal herein from the Final Order of the Honorable J. Mark Hayes, II with the South  
Carolina Court of Appeals on May 30, 2013 and served same on opposing Counsel on

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SC Court of Appeals

2. That thereafter, the Appellants timely requested the Hearing Transcript from the Court Reporter on June 4, 2013 and the Court Reporter had the Hearing Transcript delivered to the Office of the Appellants' undersigned attorney on or about June 12, 2013;

3. That thereafter, the Appellants' undersigned Counsel had to conclude Medical Testing during the latter part of the month of June, 2013, which began this past February, 2013, to rule out a possible life threatening illness, and this said medical testing interfered with the Appellants' undersigned attorney's preparation of the Appellants' Initial Brief and the Designation of Matters to be included in the Record on Appeal, requiring Appellants' undersigned counsel to seek a Thirty (30) days Extension in which to submit the Appellants' Initial Brief and Designation of Matters to be included into the Record on Appeal;

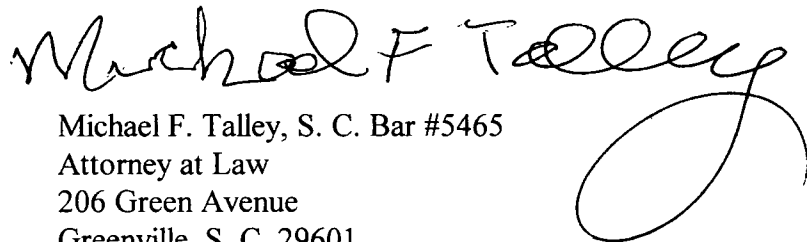
4. That this request for this short Thirty (30) days Extension of Time for the Appellants to submit their Initial Brief and Designation of Matter to be included in the Record on Appeal will not unduly prejudice the Appellees in this Appeal; and,

5. That accordingly, the Appellants, through their undersigned attorney, seek an Order from the Court granting the Appellants a Thirty (30) days Extension of Time in which to submit the Appellants' Initial Brief and Designation of Matters to be included in the Record on Appeal.

**WHEREFORE**, the Appellants respectfully pray that this Court issues its Order granting them, through their undersigned Counsel, a Thirty (30) days Extension of Time to submit the Appellants' Initial Brief and Designation of Matters to be included in

the Record on Appeal.

Respectfully Submitted,

Handwritten signature of Michael F. Talley in cursive script.

Michael F. Talley, S. C. Bar #5465  
Attorney at Law  
206 Green Avenue  
Greenville, S. C. 29601  
(864) 233-6229  
(864) 370-0071 (fax)  
Attorney for the Appellants

Dated: July 6, 2013

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Spartanburg County Court of Common Pleas  
J. MARK HAYES, II, CIRCUIT COURT JUDGE

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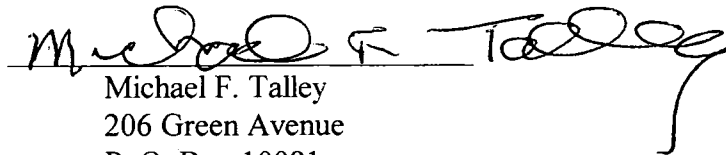
Willie A. Rogers and Vennie Rogers.....Appellants,

v.

Charles Carr, in his individual and Official Capacity as Personal Representative  
of the Estate of Thuman L. Bomar, Deceased, Katherine Christian and Joyce  
King, .....Respondents.

**PROOF OF SERVICE**

I certify that I, as the Appellants' undersigned attorney, have served a copy of the Appellants' Motion for a Thirty (30) days Extension to file their Appellants' Initial Brief and Designation of Matters to be included in the Record on Appeal upon the Respondents, Charles Carr, in his Individual and Official Capacity as the Personal Representative of the Estate of Thurman L. Bomar, Deceased, Katherine Christian and Joyce King , by depositing a copy of same in the United States Mail, postage pre-paid, on July 6, 2013, addressed to the Respondents' attorney of record, Mr. Charles P. Edwards, 200 Library Street (Upstairs) P. O. Box 2552, Spartanburg, South Carolina, 29304.



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(864) 233-6229 8, 2013  
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Dated: July 6, 2013