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Jul 27 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

App. Case No. 2022-01749

James John Todd Kincannon,Appellant,

vs.

Ashely Suzanne Griffith,Respondent.

**RESPONDENT’S MOTION TO FILE INITIAL BRIEF
AND DESIGNATION OF MATTER OUT OF TIME
AND FOR AN EXTENSION TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER**

Respondent Ashely Suzanne Griffith respectfully moves before this Court for an Order allowing Respondent to File her Initial Brief and Designation of Matter to be Included in the Record on Appeal out of time. Respondent would also move for a thirty (30) day extension of time to file her Initial Brief and Designation of Matter to be Included in the Record on Appeal if her motion to file out of time is granted.

The Respondent’s motion is based on the grounds that on July 27, 2023, counsel for Respondent noted that the Initial Brief and Designation of Matter were due on July 26, 2023. Counsel for Respondent has been out of the country and the due date for this brief was inadvertently not calendared correctly. Respondent’s counsel did not realize the deadline had not

been calendared correctly until this date. If granted, this would be the first extension of time for the Respondent for her initial brief.

WHEREFORE, the Respondent respectfully requests that she be granted leave to file her Initial Brief and Designation of Matter out of time and for an additional thirty (30) days to file her Initial Brief and Designation of Matter once/in the event her Motion is granted.

Respectfully submitted,

MOORE BRADLEY MYERS LAW FIRM, P.A.

By: s/James Edward Bradley
James Edward Bradley, SC Bar #66130
1700 Sunset Boulevard (29169)
P.O. Box 5709
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(803) 796-9160
ward@mbmlawsc.com
Attorney for Respondent

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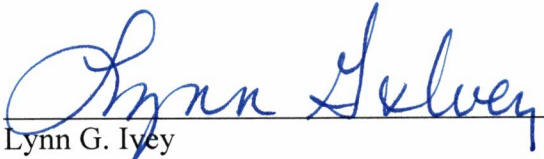
vs.

Ashely Suzanne Griffith,Respondent.

PROOF OF SERVICE

I, Lynn G. Ivey, an employee of the Moore Bradley Myers Law Firm, P.A., certify that I have served the Respondent’s Motion to File Initial Brief and Designation of Matter out of Time and for an Extension to File Initial Brief and Designation of Matter by depositing a copy of same in the United State Mail, postage prepaid, on July 27, 2023, and by email addressed to the *pro se* Petitioner of record as follows:

James John Todd Kincannon
216 Jones Avenue
Simpsonville, SC 29681
ToddKincannon@gmail.com


Lynn G. Ivey



S. Jahue Moore†
James Edward Bradley†
Sheila McNair Robinson
Christian G. Spradley
William H. Edwards
Stanley L. Myers
Jane H. Downey*
S. Jahue Moore, Jr.
William B. Fortino
Ralph Nichols Riley, Jr.
John C. Bradley, Jr.
Lester McGill Bell, Jr.

July 27, 2023

Melissa K. Moore
Bryan C. Letteer
Sierra D. Carini
Lawrence D. Turner
Emily E. Collins

Retired
J. Mark Taylor**
Robert D. Hazel†
C. David Sawyer, Jr.†
Billy C. Coleman (1916-2019)

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
Via Email and US Mail

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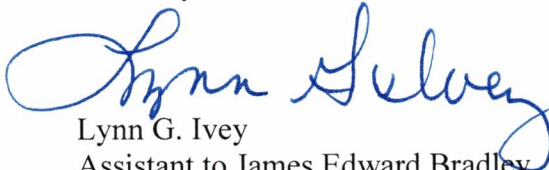
Re: James John Todd Kincannon vs. Ashely Suzanne Griffith
Appellate Case No.: 2022-01749

Dear Ms. Kitchings:

Please find for filing Respondent's motion to file out of time and for an extension in this matter. We are filing this cover letter, the motion and proof of service with the court this evening and will forward our check for the motion fee by mail.

Please let me know if you need anything else for this matter.

Sincerely,


Lynn G. Ivey
Assistant to James Edward Bradley

Enclosures

cc: Todd Kincannon (via email and US Mail)