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Aug 07 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

The Honorable Steven C Kirven  
Case Nos. 2019CP3700687 and 2020CP3700188

Appellate Case No. 2022-001189

Montgomery Holdings, LLC d/b/a IBI Builders,..... Respondent,

v.

Christopher J. Merlo and Grandsouth Bank, Defendants

AND

Christopher J. Merlo,..... Appellant,

v.

Gregory K. Grissinger, Jr. and John Montgomery, .....Respondents.

**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT’S FINAL BRIEF  
AND MOTION TO FILE OUT OF TIME**

Pursuant to Rule 240(a) SCACR, Appellant Christopher J. Merlo hereby requests that the court grant an extension in which to serve the Record on Appeal out of time in the above-captioned matter. Counsel for Appellant believes that the requested extension will neither prejudice the parties nor unduly delay this appeal. Counsel for Appellant is making this request due to his deposition and mediation schedule.

No memorandum in support of this motion is being filed as it is counsel's belief that such memorandum would not aid the Court in ruling on the motion.

Respectfully submitted,



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Townes B. Johnson, III (SC Bar# 75412)

Townes B. Johnson, III, LLC

P.O. Box 9246

Greenville, South Carolina 29604

PH: (864) 757-4899

*Attorney for Respondent*

August 6, 2023  
Greenville, South Carolina

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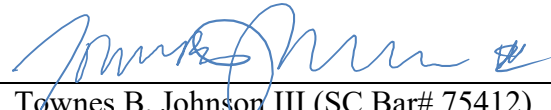
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**PROOF OF SERVICE**

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The undersigned hereby certifies that a true copy of Appellant Christopher J. Merlo Motion for Extension of Time to Serve the Record on Appeal in the above-referenced case has been served on all parties of record via email this 6<sup>th</sup> day of August 2023, addressed as follows:

Jason M. Tarokh, Esq.  
Tarokh Law PLLC  
PO Box 10827  
Tampa, Florida 33679  
*Attorneys for Respondents*



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Townes B. Johnson III (SC Bar# 75412)

TOWNES B. JOHNSON III, LLC

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GREENVILLE, SC 29604

PH: (864) 757-4899

*Attorney for Respondent*

August 6, 2023

Townes B. Johnson III  
(864) 757-4899  
tjohnson@sc.legal

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

**Re: Montgomery Holdings, LLC d/b/a IBI Builders v. Christopher J. Merlo and  
Grandsouth Bank AND Christopher J. Merlo v. Gregory K. Grissinger, Jr.  
and John Montgomery  
Appellate Case No. 2022-001189**

Dear Ms. Kitchings:

Enclosed for filing, please find the following in the above-referenced matter:

- (1) Email enclosing copies of Appellant's Motion for Extension of Time to Serve Record on Appeal and Proof of Service for same; and
- (2) the filing fee in the amount of \$50.00

Once filed, please return a file-stamped copy of same in the enclosed prepaid envelope.

Sincerely,

  
Townes B. Johnson, III

cc: Jason M. Tarokh, Attorney for Respondent

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