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Oct 23 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
G.D Morgan, Jr., Circuit Court Judge

Appellate Case No. 2023-001497

Ronald Carl Cox, III, ..... Appellant.

v.

Michael John Dimaggio, ..... Respondent.

**MOTION FOR EXTENSION OF TIME FOR APPELLANT  
TO SERVE AND FILE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD OF APPEAL**

Pursuant to Ruel 250, SCACR, appellant Ronald Carl Cox, III moves for an extension of time in which to serve and file appellant’s Initial Brief and Designation of Matter to be included in the Record on Appeal (“Designation of Matter”). Appellant requests an extension of twenty days to file the Initial Brief and Designation of Matter which are currently due October 28, 2023. This is the first request for an extension filed by Appellant.

The grounds for this motion are that other impending professional matters and obligations have created a need for additional time to prepare the Initial Brief and Designation of Matter. A twenty-day delay will not prejudice the rights of any of the parties. We have notified counsel for the Respondent below of our intent to file this motion. Counsel for the Respondent consents to this motion. Granting this motion would require the Initial Brief and Designation of Matter to be filed with the Court no later than November 17, 2023.

For these reasons, appellant requests and extension of the deadline for filing and serving the Initial Brief and Designation of Matter until November 17, 2023.

Dated this 23<sup>rd</sup> day of October, 2023.

**PETTUS / FARNSWORTH, LLC**

BY: 

Daniel J. Farnsworth, Jr.

(South Carolina Bar No. 06922)

**PETTUS / FARNSWORTH, LLC**

211 Pettigru Street

Greenville, South Carolina 29601

Telephone: (864) 250-9119

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Email: [Dan@FarnsworthLawOffices.com](mailto:Dan@FarnsworthLawOffices.com)

*Attorney for the Appellant*

October 23, 2023  
Greenville, South Carolina



Lauren Lipscomb &lt;lauren@farnsworthlawoffices.com&gt;

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**Initial Brief**

4 messages

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**Lauren Lipscomb** <Lauren@farnsworthlawoffices.com> Sun, Oct 22, 2023 at 4:24 PM  
To: Dan Farnsworth <Dan@farnsworthlawoffices.com>, Kirk Moorhead <kirk@mllawyers.com>

Good afternoon Mr. Moorehead,

I hope you are well. Just wanted to let you know we plan on filing a motion for an extension for our initial brief. Just wanted to make sure you don't object to this request beforehand.

Best,

Lauren

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**Kirk Moorhead** <kirk@mllawyers.com> Sun, Oct 22, 2023 at 5:03 PM  
To: Lauren Lipscomb <Lauren@farnsworthlawoffices.com>  
Cc: Dan Farnsworth <Dan@farnsworthlawoffices.com>

No objection

Sent from my iPhone

> On Oct 22, 2023, at 4:24 PM, Lauren Lipscomb <Lauren@farnsworthlawoffices.com> wrote:

>

> Good afternoon Mr. Moorehead,

[Quoted text hidden]

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**Lauren Lipscomb** <Lauren@farnsworthlawoffices.com> Sun, Oct 22, 2023 at 5:04 PM  
To: Kirk Moorhead <kirk@mllawyers.com>  
Cc: Dan Farnsworth <Dan@farnsworthlawoffices.com>

Perfect, thank you. Enjoy your Sunday

Lauren

[Quoted text hidden]

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**Kirk Moorhead** <kirk@mllawyers.com> Sun, Oct 22, 2023 at 5:05 PM  
To: Lauren Lipscomb <Lauren@farnsworthlawoffices.com>  
Cc: Dan Farnsworth <Dan@farnsworthlawoffices.com>, Tracy Ceres <tracy@mllawyers.com>

Yea ma'am

Sent from my iPhone

On Oct 22, 2023, at 5:04 PM, Lauren Lipscomb <Lauren@farnsworthlawoffices.com> wrote:

[Quoted text hidden]

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Appellate Case No.: 2023-001497

Ronald Carl Cox, III, ..... Appellant,

vs.

Michael John Dimaggio, ..... Respondent.

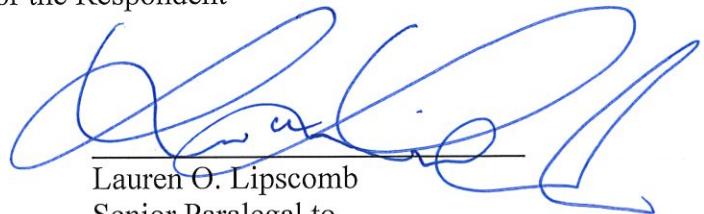
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**CERTIFICATE OF SERVICE**

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The undersigned paralegal of Pettus / Farnsworth, LLC, counsel for the Appellant, does hereby certify that service of Appellant's Motion for Extension to File Initial Brief and Designation of Matter in the above-captioned matter was made upon counsel of record by electronic mail and by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 23<sup>rd</sup> day of October, 2023

John Kirkman Moorehead, Esq  
2203 North Main Street  
Anderson, South Carolina 29621  
[kirk@mllawyers.com](mailto:kirk@mllawyers.com)  
Attorney for the Respondent



Lauren O. Lipscomb  
Senior Paralegal to  
Daniel J. Farnsworth, Jr.  
**PETTUS / FARNSWORTH, LLC**  
211 Pettigru Street  
Greenville, South Carolina 29601  
Telephone: (864) 250-9119  
Facsimile: (864) 250-9120

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SC Court of Appeals

PETTUS

FARNSWORTH

Reginald Hoffman Pettus (1920-2000)  
John Wright Farnsworth (1941-1997)  
Daniel Joseph Farnsworth (Of Counsel)

Daniel J. Farnsworth, Jr.\*

\*Member of the South Carolina and Virginia Bar

Attorneys and  
Counselors at Law

211 Pettigru Street  
Greenville, South Carolina 29601

201 King Street  
Keysville, Virginia 23947

October 23, 2023

Electronic Mail

The South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: *Ronald Carl Cox, III v. Michael John Dimaggio*  
*Appellate Case Number: 2023-001497*

Dear South Carolina Court of Appeals:

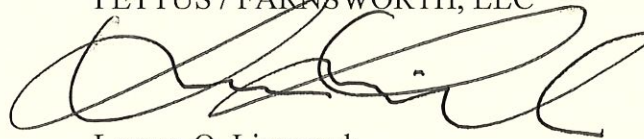
Please find enclosed Appellant's Motion for Extension to File Initial Brief and Designation of Matter in the above-referenced matter. I will be subsequently sending this motion, along with seven copies, and the filing fee of \$50.00, to the South Carolina Court of Appeals via first-class United States Postal Service as well.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

With kind regards, I remain

Yours truly,

PETTUS / FARNSWORTH, LLC



Lauren O. Lipscomb  
Paralegal to  
Daniel J. Farnsworth, Jr. (#6922)

/lol  
Enclosures

Cc: John Kirman Moorehead, Esq  
Cox Family