

**RECEIVED**

**Nov 15 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

William A. McKinnon, Circuit Court Judge

Appellate Case No. 23-000859

Nathaniel Shell,

Respondent,

v.

Law Office of Neil T. Phillips, LLC  
and Neil T. Phillips

Appellants.

**MOTION TO EXTEND TIME TO FILE INITIAL BRIEF OF  
RESPONDENT**

Respondent Nathaniel Shell moves pursuant to Rule 240, SCACR for an order extending time for one month to file and serve the Initial Brief of Respondent. Respondent requests this extension in order to provide counsel sufficient time to adequately research and prepare these pleadings. Respondent submits that this motion is not interposed for delay. Respondents also request that the Court of Appeals hold all time limits in abeyance pending its ruling on this motion.

Respectfully submitted,

November 15, 2023

s/ D. Alan Lazenby  
D. Alan Lazenby  
Lazenby Law Firm, LLC  
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Spartanburg, South Carolina 29304  
(864) 804-5050  
[alan@lazenbylawfirm.com](mailto:alan@lazenbylawfirm.com)  
SC Bar No. 13906

Attorney for Respondent

Other Counsel of Record:

Douglas W. MacKelcan  
40 Calhoun Street, Suite 400  
Charleston, SC 29401  
[dmackelcan@csvl.law](mailto:dmackelcan@csvl.law)

Attorney for Appellants

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Nathaniel Shell,

Respondent,

v.

Law Office of Neil T. Phillips, LLC  
and Neil T. Phillips

Appellants.

**PROOF OF SERVICE**

I certify that I have served the Motion for Extension of Time on Appellants Law Office of Neil T. Phillips, LLC and Neil T. Phillips by electronic mail to their counsel of record, Douglas W. MacKelcan, Esq. his email address on file with the S.C. AIS, to wit: [dmackelcan@csvg.law](mailto:dmackelcan@csvg.law)

Respectfully submitted,

November 15, 2023

s/ D. Alan Lazenby

D. Alan Lazenby

Lazenby Law Firm, LLC

Post Office Box 6099

Spartanburg, South Carolina 29304

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SC Bar No. 13906

Attorney for Respondent



Alan Lazenby &lt;alan@lazenbylawfirm.com&gt;

**Shell v Law Office of Neil T. Phillips, Appellate Case No. 2023-000859**

1 message

Alan Lazenby &lt;alan@lazenbylawfirm.com&gt;

Wed, Nov 15, 2023 at 9:45 PM

To: "Mackelcan, Douglas W." &lt;dmackelcan@csvg.law&gt;, Taylor Whitehead &lt;taylor.whitehead@niftymarketing.com&gt;, "Rebekah S. Noell-Baba" &lt;rebekah@lazenbylawfirm.com&gt;

Dear Counsel,

Attached and herewith served upon you in this matter is a Motion to Extend Time to File Initial Brief of Respondent and Proof of Service. I also attach a copy of my correspondence to the Court of Appeals. The copy of the Proof of Service to the Court will contain a print out indicating this message was sent to you.

Alan

**D. Alan Lazenby** Attorney at Law, Lazenby Law Firm, LLC**LAZENBY**  
LAW FIRM LLC

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**3 attachments** **COS 11.15.2023.pdf**  
20K **Mot Ext 11.15.2023.pdf**  
15K **Clerk from DAL re Enclosed Motion to Extend 11.15.2023.pdf**  
201K



**D. ALAN LAZENBY**  
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FAX: 864-751-4153

November 15, 2023

**VIA EMAIL ONLY**

Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**  
**Nov 15 2023**  
**SC Court of Appeals**

***Re: Nathaniel Shell, Appellant-Respondent, v. Law Office of Neil T. Phillips, LLC; and Neil T. Phillips, Respondents-Appellants.***  
**Appellate Case No. 2023-000859**

Dear Ms. Kitchings:

Enclosed please find our Motion to Extend Time to File Respondent's Initial Brief in the above-captioned matter.

A check in the amount of \$50 to cover the filing fee will be sent separately in the mail.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'D. Alan Lazenby', is written over a light blue horizontal line.

D. Alan Lazenby  
[alan@lazenbylawfirm.com](mailto:alan@lazenbylawfirm.com)

DAL:  
Enclosure

cc: Douglas W. MacKelcan, Esq. (via email only)  
Taylor L. Cary, Esq. (via email only)