

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,

vs.

Michael John Dimaggio, Respondent.

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

Pursuant to Rule 250, SCACR, Appellant Ronald Carl Cox, III, moves for an extension of time in which to serve and file the Appellant’s Initial Bried and Designation of Matter to be included in the Record on Appeal (“Designation of Matter”). Appellant requests an extension of ten (10) days to file and serve the Initial Bried and Designation of Matter which are currently due November 29, 2023. The is the second request for an extension filed by the Appellant.

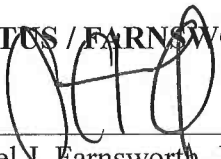
The grounds for this motion are that other impending professional matters and recent health issues have created a need for additional time to prepare the Initial Bried and Designation of Matter. A ten day delay will no prejudice the rights of any of the parties. We have notified counsel for the Respondent 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 Monday, December 11, 2023.

For these reasons, Appellant requests an extension of the deadline for filing and serving the Initial Brief and Designation of Matter until December 11, 2023.

Dated this 29th day of November, 2023.

PETTUS / FARNSWORTH, LLC

BY: 
Daniel J. Farnsworth, Jr. (SC Bar 6922)
211 Pettigru Street (29601)
Post Office Box 8719
Greenville, South Carolina
Telephone: (864) 250-9119
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Dan@FarnsworthLawOffices.com

RECEIVED

Nov 29 2023

SC Court of Appeals

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G.D. Morgan, Jr. Circuit Court Judge

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Ronald Carl Cox, III, Appellant,

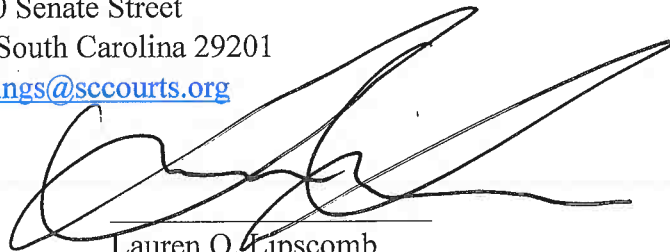
vs.

Michael John Dimaggio, Respondent.

CERTIFICATE OF SERVICE

The undersigned paralegal of PETTUS / FARNSWORTH, LLC, counsel for the Appellant, does hereby certify that six (6) copies of the Appellant's Motion for Extension to file Initial Brief and Designation of Matter in the above-captioned matter was sent by electronic mail and by placing in the United States Mail, first class postage prepaid, along with the filing fee of \$50.00, at the below listed addresses clearly indicated on said envelopes this the 29th day of November, 2023.

The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201
ctappfilings@sccourts.org



Lauren O. Lipscomb
Senior Paralegal to
Daniel J. Farnsworth, Jr. (SC Bar 6922)
PETTUS / FARNSWORTH, LLC
211 Pettigru Street
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Lauren@FarnsworthLawOffices.com

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,

vs.

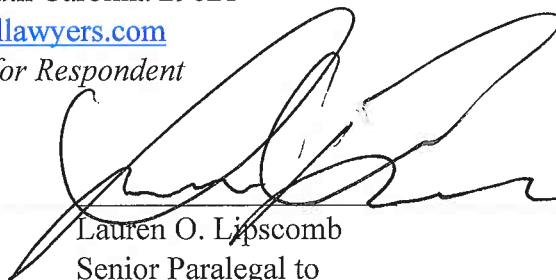
Michael John Dimaggio, Respondent.

CERTIFICATE OF SERVICE

The undersigned paralegal of **PETTUS / FARNSWORTH, LLC**, counsel for the Appellant, does hereby certify that of the Appellant’s Motion for Extension to file Initial Brief and Designation of Matter in the above-captioned matter was sent by electronic mail, at the below listed addresses clearly indicated on said envelopes this the 29th day of November, 2023.

John Kirman Moorehead, Esq
2203 North Main Street
Anderson, South Carolina 29621

kirk@mllawyers.com
Attorney for Respondent



Lauren O. Lipscomb
Senior Paralegal to
Daniel J. Farnsworth, Jr. (SC Bar 6922)
PETTUS / FARNSWORTH, LLC
211 Pettigru Street
Greenville, South Carolina 29601
Lauren@FarnsworthLawOffices.com



Dan Farnsworth <dan@farnsworthlawoffices.com>

Re: Appeal Extension

1 message

Lauren Lipscomb <Lauren@farnsworthlawoffices.com>
To: Kirk Moorhead <kirk@mllawyers.com>
Cc: Dan Farnsworth <Dan@farnsworthlawoffices.com>

Tue, Nov 28, 2023 at 8:15 PM

Dan sure will! Have a great evening.

Thanks again-

Best,

Lauren

On Tue, Nov 28, 2023 at 8:13 PM Kirk Moorhead <kirk@mllawyers.com> wrote:

I consent. Remember this when I ask for mine
Sent from my iPhone

> On Nov 28, 2023, at 7:23 PM, Lauren Lipscomb <Lauren@farnsworthlawoffices.com> wrote:

>

> Good evening Kirk

>

> I hope you had a great Thanksgiving. Dan wanted me to reach out and see if you would consent to a 10 day extension. Dan is nearly finished with his initial brief, but has been experiencing some flu like symptoms the last several days and has been having difficulties.

>

> Let me know if you consent to this. Thank you and have a great rest of your week.

>

> Best,

>

> Lauren

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

November 29, 2023

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Nov 29 2023

SC Court of Appeals

Attorneys and
Counselors at Law

211 Pettigru Street
Greenville, South Carolina 29601

201 King Street
Keysville, Virginia 23947

United States Postal Service and AIS Email

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: 2023-00149*

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 due to Mr. Farnsworth's excessive caseload as well as recent health issues, that was electronically filed via email on November 29, 2023.


I have enclosed six (6) copies of the Appellant's Motion for Extension to File Brief and Designation of Matter, along with the \$50.00 filing fee. I have also attached a copy of Opposing Counsel's consent to this motion.

By copy of this letter, I am serving copies on all counsel of record.

With kind regards, I remain

Yours truly,

PETTUS / FARNSWORTH, LLC


Lauren O. Lipscomb
Senior Paralegal to
Daniel J. Farnsworth, Jr. (SC Bar 6922)

/lol

Enclosures

Cc: John Kirkman Moorehead, Esq.
Cox Family

www.FarnsworthLawOffices.com

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Virginia Office 434.736.8171