

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Marvin H. Dukes, III

Case No. 2011-CP-07-2176
Appellate Case No. 2013-000222

RECEIVED

JUL 24 2013

SC Court of Appeals

Bloody Point Property Owners Association, Inc., David L.
Fingerhut, and Patricia M. Santry).....Respondents,

v.

William A. Ashton, Jr. And Michele C. Ashton.....Appellants.

MOTION FOR EXTENSION
OF TIME IN WHICH TO FILE
APPELLANT'S INITIAL REPLY BRIEF

Counsel for the Appellants hereby moves for a thirty (30) day extension of time in which to file the Appellants' Initial Reply Brief. The Appellants base this Motion on the following:

- (1) Appellants' counsel, James F. Berl, received the Respondents' Initial Brief and Respondents' Designation of Matter on Friday, July 12, 2013, during which time counsel was preparing for a contested domestic matter scheduled to be heard in the Family Court on July 18, 2013, and which required counsel and his staff several days to prepare therefor, such that counsel could not address this matter until July 19, 2013.
- (2) While the Respondents' Certificate of Service indicates that copies of the Respondents' Initial Brief and Respondents' Designation of Matter were mailed to Dustin Lee, co-counsel for Appellants, on July 10, 2013, as can be seen by the attached copy of the aforesaid Certificate of Service, as well as a copy of the actual envelope as addressed, the mailing address at which these documents were sent to co-

counsel, Dustin Lee, was not a complete address, such that Mr. Lee did not receive Respondents' Initial Brief and Respondents' Designation of Matter until Wednesday, July 17, 2013;

- (3) That the above-referenced delay in receiving Respondents' Initial Brief and Respondents' Designation of Matter on Monday, has resulted in Mr. Lee's inability to assist lead counsel, James F. Berl, in the preparation of Appellants' Initial Reply Brief, due to numerous hearings and related commitments in Mr. Lee's schedule;
- (4) Appellants' counsel are informed and believe that Respondents will not be prejudiced in any way by the granting of this additional time for the preparation of the Appellants' Initial Reply Brief.

Appellants' counsel asserts that thirty (30) days should be sufficient time to allow the Appellants to fully review the Respondents' Initial Brief and Respondents' Designation of Matter and to prepare Appellants' Initial Reply Brief in this matter.

July 23, 2013



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Attorneys for Appellants

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
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v.

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CERTIFICATE OF SERVICE

I certify that I have served a copy of RESPONDENTS' INITIAL BRIEF and
RESPONDENTS' DESIGNATION OF MATTER by depositing a copy in the United
States Mail, postage prepaid on July 10, 2013 to the following:

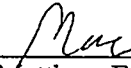
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Ex. "A"

Respectfully submitted,



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ATTORNEYS FOR RESPONDENTS

July 10, 2013
Charleston, South Carolina

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CERTIFICATE AND PROOF OF SERVICE

I hereby certify that I have served upon the Respondents the Motion for Extension of Time in Which to File Appellants' Initial Reply Brief by Appellants, by depositing a copy thereof in the United States Mail, postage prepaid, on July 23, 2013, addressed to: Terry A. Finger, Esquire, Finger & Fraser, P.A., P.O. Box 24005, Hilton Head Island, SC 29925, Counsel of Record for Respondent, Bloody Point Property Owners Association, Inc., (843) 681-7000; and to Matthew E. Tillman, Esquire, Womble, Carlyle, Sandridge & Rice, LLP, P.O. Box 999, Charleston, SC 29402, (843) 720-4629), Counsel of Record for Respondents, David L. Fingerhut and Patricia Fingerhut (a/k/a Patricia M. Santry), Foreclosure Bidders.

July 23, 2013



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