

RECEIVED

Dec 06 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

James O. Spence

Master in Equity

Case No. 2019-CP-32-00630
Appellate Case No. 2023-01417

James G. Sercu and Sherri A. Sercu,

Respondents,

v.

Douglas Steven Hart,

Appellant.

MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF

YOU WILL PLEASE TAKE NOTICE that, pursuant to Rules 208, 209, 240, and 263(b) of the South Carolina Appellate Court Rules, the Respondents James G. Sercu and Sherri A. Sercu, by and through their undersigned attorney, moves for an Order granting an additional ten (10) day extension of time within which to file the Initial Brief of Respondents—through December 18, 2023. This motion is the Respondents' second request for extension and is made on the grounds that the undersigned counsel has had other Federal Court trials, deadlines, depositions, hearings, and other case commitments arise unavoidably over the previous and

coming weeks, and proper preparation for which has precluded counsel's ability to devote the requisite time to the research and drafting of the Initial Brief of Respondent; and counsel needs the additional time requested herein to properly present focused and cogent arguments.

DAVIS | FRAWLEY, LLC
140 East Main Street, P.O. Box 489
Lexington, South Carolina 29071
(803) 359-2512

BY: 
Matthew G. Rogers, SC Bar No. 104239
ATTORNEYS FOR RESPONDENTS

Lexington, South Carolina
December 6, 2023

Other Counsel of Record:

C. Cantzon Foster, II
SC Bar No 69501
Foster Law Office, LLC
3100 Devine Street,
Columbia, SC 29205
Cantzon@FosterSC.com
803-400-1921
803-400-1951 Facsimile
Attorneys for Appellant

RECEIVED

Dec 06 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas
James O. Spence
Master in Equity

Case No. 2019-CP-32-00630
Appellate Case No. 2023-01417

James G. Sercu and Sherri A. Sercu,

Respondents,

v.

Douglas Steven Hart,

Appellant.

PROOF OF SERVICE

I, Nicole T. Price, a paralegal with the law firm of DAVIS | FRAWLEY, LLC, do hereby certify that I have served the following with the foregoing **MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF**, by mailing a copy of same to them at the following address:

C. Cantzon Foster, II, Esquire
Foster Law Office, LLC
3100 Devine Street
Columbia, SC 29205
Attorneys for Appellant

on this 6th day of December, 2023 all in accordance with Rule 5 (b)(1) of the South Carolina Rules of Civil Procedure.



Nicole T. Price, Paralegal
DAVIS | FRAWLEY, LLC
140 East Main Street
Lexington, South Carolina 29071

Lexington, South Carolina

ATTORNEYS FOR RESPONDENTS

James Randall Davis
Patrick J. Frawley
Jeff M. Anderson
John J. McCauley ◊
Carey M. Ayer Δ
Ryan M. Wingard
Evan M. Gessner
Matthew G. Rogers
Sara M. Bunge

◊ American Board of Trial Advocates
Δ Certified Circuit Court Mediator

Davis | Frawley ^{LLC}
Attorneys at Law

Francis C. Jones
(1919 – 1968)

Hubert E. Long
(1921 – 2000)

Robert K. Bouknight
(1931-2019)

George S. Nicholson, Jr.
(1942-2021)

Since 1961

December 6, 2023

VIA ELECTRONIC MAIL

South Carolina Court of Appeals
Attn: The Honorable Jenny Abbott Kitchings
Clerk of Court
1220 Senate Street (29201)
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED

Dec 06 2023

SC Court of Appeals

RE: James G. Sercu and Sherri A. Sercu v. Douglas Steven Hart
Appellate Case No.: 2023-01417

Dear Ms. Kitchings:

Enclosed please find the *Motion for Extension of Time to File Initial Brief* regarding the above referenced matter. I am serving all other parties in this matter by copy of this letter and email. Further, I am having our runner hand deliver the \$50 fee for filing the Motion. Please let me know if the Court requires anything further.

Sincerely,



Nicole T. Price
Paralegal

Enclosure

cc: C. Cantzon Foster, II, Esquire
Foster Law Office, LLC
3100 Devine Street
Columbia, SC 29205