

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SUMTER COUNTY  
Court of Common Pleas

The Honorable Robert W. Buffington, Special Referee

Case No. 2022-CP-43-00508  
Appellate Case No. 2023-001638

Mae McGruder,

Respondent,

v.

Dollar General Corporation,  
d/b/a Dollar General Store #1677 and Janie Davis,

Appellants.

MOTION FOR EXTENSION OF TIME

The Respondent, Mae McGruder, by and through her undersigned Counsel, hereby requests an enlargement of time pursuant to Rule 240(e), SCAR to file Respondent’s Return to Appellants’ Motion for Leave to File a Motion for Relieve from Judgment. Respondent did not timely file a Return because Counsel misinterpreted the relief Appellant is requesting in its motion.

This case was referred to the Special Referee below by order of the Circuit Court which stated “the Special Referee shall retain jurisdiction to hear any action contesting the validity of judgment, any action necessary to enforce the judgment, and any motions or actions to set aside Entry of Default or Default Judgment pursuant to the South Carolina Rules of Civil Procedure, including but not limited to Rule 60(b).” (Exhibit A)

Upon first reading of Appellants’ motion, Counsel did not that they seek leave from this Court to file a Motion for Relief from Default Judgment with the Circuit Court instead of with the Special Referee, in essence voiding the Order of Referral to the Special Referee in which the Special Referee retains exclusive jurisdiction to hear said

motion. Respondent does not oppose leave being granted to file the Motion with the Special Referee but wishes to file a Return opposing leave being granted to allow Respondents to file the said motion with the Circuit Court.

December 12, 2023



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Exhibit A

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	THIRD JUDICIAL CIRCUIT
COUNTY OF SUMTER	)	2022-CP-43-00508
	)	
Mae McGruder,	)	
	)	
	)	<b>ORDER OF REFERRAL TO SPECIAL</b>
Plaintiff,	)	<b>REFEREE</b>
	)	
-vs-	)	
	)	
Dollar General Corporation, d/b/a Dollar	)	
General Store #16677 and Janie Davis,	)	
	)	
Defendants.	)	
_____	)	

This matter comes before the Clerk upon motion of the Plaintiff pursuant to Rule 53 of the South Carolina Rules of Civil Procedure seeking referral of the matter to a Special Referee.

It appears that the Defendants, Dollar General Corporation, d/b/a Dollar General Store #16677, and Janie Davis, are in default in this action as evidenced by the Affidavit of Default filed herewith by Counsel for the Plaintiff.

IT IS THEREFORE ORDERED that this action is referred to Robert W. Buffington, as Special Referee, to take testimony and direct entry of final judgment in this action under Rule 53 of the South Carolina Rules of Civil Procedure, and all matters arising from or reasonably related to such action. The Special Referee has consented to hear this Default Judgment and damages matter and shall retain jurisdiction to perform all necessary acts incident to this action. Further, the Special Referee shall retain jurisdiction to hear any action contesting the validity of the judgment, any action necessary to enforce the judgment, and any motions or

actions to set aside Entry of Default or Default Judgment pursuant to the South Carolina Rules of Civil Procedure, including but not limited to Rule 60(b).

Any and all hearings shall be held by Robert W. Buffington, Special Referee, at Clark Law Firm, LLC, located at 22 East Liberty Street, Sumter, South Carolina, and all Orders of the Special Referee shall be filed with the Clerk of Court for Sumter County. The fees of the Special Referee shall be paid by the Plaintiff with the provision that if an appearance is made on behalf of the Defendant(s) the fees shall be equally divided between all parties who have appeared.

IT IS SO ORDERED.



Sumter Common Pleas

**Case Caption:** Mae Mcgruder VS Dollar General Corporation , defendant, et al  
**Case Number:** 2022CP4300508  
**Type:** Order/Referred to Master or Special Referee

So Ordered

s/James C. Campbell, Sumter County Clerk of  
Court

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SC Court of Appeals

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PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time on Appellants Dollar General Corporation, d/b/a Dollar General Store #1677 and Janie Davis by electronic mail only to their following attorneys of record:

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*Signature appears on following page*

December 12, 2023



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