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Jan 10 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

G. D. Morgan, Jr., Circuit Court Judge

Appellate Case No. 2023-001497

Ronald Carl Cox, III .....Appellant

v.

Michael John Dimaggio ..... Respondent.

**MOTION FOR EXTENSION OF TIME FOR RESPONDENT  
TO SERVE RESPONDENT’S INITIAL BRIEF AND DESIGNATION  
OF MATTER TO BE INCLUDED IN THE RECORD OF APPEAL**

Pursuant to *Rule 240, SCACR*, Respondent, Michael John Dimaggio, moves for an extension of time within which to serve and file the Respondent’s Initial Brief and Designation of Matter to be included in the Record on Appeal (“Designation of Mater”). Appellant requests an extension of thirty (30) days to file and serve the initial Brief and Designation of Matter which is currently due January 11, 2024. This is the first request for an extension filed by the Respondent.

The grounds for this motion are that other impending professional matters have created a need for additional time to prepare Respondent’s Initial Brief and Designation of Matter. A thirty day delay will not prejudice the rights of any of the parties. We have notified counsel for the Appellant below of our intent to file this motion. Counsel for the Appellant consents to this motion. Granting this motion would require Respondent’s Initial Brief and Designation of Matter

to be filed with the Court no later than February 12, 2024.

For these reasons, Respondent requests an extension of the deadline for filing and serving Respondent's Initial Brief and Designation of the Matter until February 12, 2024.

Dated this 10<sup>th</sup> day of January, 2024.

**MOORHEAD LEFEVRE PA**

s/J. Kirkman Moorhead

J. Kirkman Moorhead (SC Bar 07039)

2203 N Main Street

Anderson, SC 29621

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Email: [kirk@mllawyers.com](mailto:kirk@mllawyers.com)

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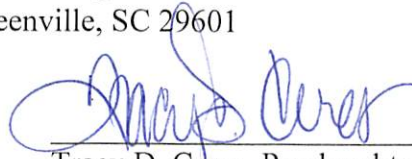
v.

Michael John Dimaggio ..... Respondent.

**CERTIFICATE OF SERVICE**

The undersigned paralegal of Moorhead LeFevre, PA, counsel for the Respondent, does hereby certify that the Respondent’s Motion for Extension to file Respondent’s Initial Brief and Designation of Matter in the above-captioned matter was sent by electronic mail and by placing same in the United States Mail, first class postage prepaid, to the below listed addresses clearly indicated on said envelope this the 10<sup>th</sup> day of January, 2024.

Daniel J. Farnsworth, Jr., Esq.  
Pettus/Farnsworth, LLC  
211 Pettigru Street  
Greenville, SC 29601



Tracy D. Ceres, Paralegal to  
J. Kirkman Moorhead (SC Bar No.: 07039)  
2203 North Main Street  
Anderson, South Carolina 29621  
tracy@mllawyers.com

J. Kirkman Moorhead



Steven B. LeFevre

**Moorhead LeFevre, PA**

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**SC Court of Appeals**

Via U.S. Mail and AIS Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

The South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

*Re: Ronald C. Cox v. Michael J. Dimaggio  
Appellate Case Number: 2023-001497*

Dear Clerk of Court:

Enclosed for filing in the above-captioned matter, please find Respondent's Motion for Extension of Time to File Initial Brief and Designation of Matter, our firm check in the amount of \$50.00 for the filing fee associated therewith and a Certificate of Service for same.

Should you have any questions or if there is anything further that the Court needs, please reach out to our office at your convenience.

Respectfully submitted,

Moorhead LeFevre, PA

A handwritten signature in blue ink, appearing to read 'Tracy D. Ceres', written over a circular flourish.

Tracy D. Ceres, Paralegal to  
J. Kirkman Moorhead, Esq.

:tdc

Encls. as Noted

cc: Daniel J. Farnsworth, Jr., Esq.