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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.

**SECOND 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 additional extension of two (2) weeks to file and serve the initial Brief and Designation of Matter which is currently due February 12, 2024. This is the second 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. An additional two week 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 26, 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 26, 2024.

Dated this 1st day of February, 2024.

**MOORHEAD LEFEVRE PA**

s/J. Kirkman Moorhead

J. Kirkman Moorhead (SC Bar 07039)

2203 N Main Street

Anderson, SC 29621

Tel.: (864)225-9155; Fax: (864)225-9151

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

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**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 1st day of February, 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