

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA COURT OF COMMON PLEAS FOR
JASPER COUNTY, BUSINESS COURT
Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2023-001708

Jasper County, Respondent,

v.

Western Surety Company and Denise Smith, Defendants,

Of which Western Surety Company is the Appellant.

APPELLANT’S MOTION FOR EXTENSION OF TIME

Pursuant to South Carolina Appellate Court Rule 240, Appellant Western Surety Company (“Appellant”) moves for an extension of time in which to serve and file Appellant’s Initial Brief and Designation of Matter to be Included in the Record on Appeal in this matter. Appellant requests an extension of thirty (30) days to file its Initial Brief and Designation of Matter which are currently due March 7, 2024. This is the first request for an extension filed by Appellant.

The grounds for this Motion are that other impending professional matters and obligations have created a need for additional time to prepare the Initial Brief and Designation of Matter. A 30-day extension will not prejudice the rights of any party. Granting this Motion would require

Appellant's Initial Brief and Designation of Matter to be filed with the Court no later than April 8, 2024.¹

For the reasons set forth herein, Appellant respectfully requests an extension to serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal until April 8, 2024.

Respectfully submitted,

s/Christopher Ogiba

Christopher A. Ogiba (SC Bar No. 70666)

Julianne Farnworth (SC Bar No. 7841)

Lauren N. Vriesinga (SC Bar No. 100658)

Daniel R. Fuerst (SC Bar No. 102522)

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Attorneys for Appellant Western Surety Company

March 1, 2024
Charleston, South Carolina

¹ Thirty days from the current deadline of March 7, 2024, falls on Saturday, April 6, 2024. Accordingly, the deadline is Monday, April 8, 2024. See S.C.A.C.R. 263(a).

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SC Court of Appeals

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v.

Western Surety Company and Denise Smith, Defendants,

Of which Western Surety Company is the Appellant.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of *Appellant's Motion for Extension of Time* via electronic mail only, addressed as follows:

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Attorney for Respondent Jasper County

(SIGNATURE BLOCK ON FOLLOWING PAGE)

s/Christopher Ogiba

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March 1, 2024

VIA U.S. MAIL AND EMAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
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Re: *Jasper County vs. Western Surety Company*
Civil Action No.: 2019-CP-27-00674
Appellate Case No.: 2023-001708
MVA File No. 513927.067

Dear Ms. Kitchings:

Enclosed for filing, please find one (1) original and six (6) copies each of Appellant's Motion for Extension of Time to File Appellant's Initial Brief and the Proof of Service in the above case. Also enclosed is our firm's check in the amount of \$50.00 for the filing fee.

Please return a filed copy of the Motion and proof of service in the enclosed, self-addressed, stamped envelope.

Sincerely,

Moore & Van Allen, PLLC



Lauren N. Vriesinga

LNV/eob

cc: David S. Cobb, Esquire
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