

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
G.D. Morgan, Jr. Circuit Court Judge

Appellate Case No.: 2023-001497

Ronald Carl Cox, III, Appellant,

vs.

Michael John Dimaggio, Respondent.

MOTION FOR EXTENSION OF TIME FOR APPELLANT
TO SERVE AND FILE INITIAL REPLY BRIEF, RESPONSE TO RESPONDENT'S
MOTION TO EXCLUDE, AND DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD OF APPEAL

Pursuant to Rule 250, SCACR, Appellant Ronald Carl Cox, III, moves for an extension of time in which to serve and file the Appellant's Initial Reply Brief and Response to Respondent's Motion to Exclude, as well as the Designation of Matter to be included in the Record on Appeal ("Designation of Matter"). Appellant requests an extension of ten (10) days to file and serve the Initial Reply Brief and Response to Respondent's Motion to Exclude, as well as the Designation of Matter, which are currently due March 23, 2024. This is the first request for an extension filed by the Appellant.

The grounds for this motion are that other impending professional matters have created a need for additional time to prepare the Initial Reply Brief, Response to Respondent's Motion to Exclude, and Designation of Matter. A ten day delay will not prejudice the rights of any of the parties. We have notified counsel for the Respondent below of our intent to file this motion.

Counsel for the Respondent

consents to this motion. Granting this motion would require the Initial Reply Brief, Response to Respondent's Motion to Exclude and Designation of Matter to be filed with the Court no later than Friday, April 5, 2024.

For these reasons, Appellant requests an extension of the deadline for filing and serving the Initial Reply Brief and Designation of Matter until April 5, 2024.

Dated this 22nd day of March 2024.

PETTUS / FARNSWORTH, LLC

BY: 

Daniel J. Farnsworth, Jr. (SC Bar 6922)
211 Pettigru Street (29601)
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Mar 22 2024

SC Court of Appeals

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In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
G.D. Morgan, Jr. Circuit Court Judge

Appellate Case No.: 2023-001497

Ronald Carl Cox, III, Appellant,

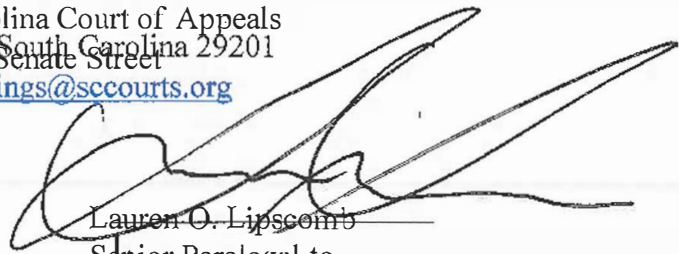
vs.

Michael John Dimaggio, Respondent.

CERTIFICATE OF SERVICE

The undersigned paralegal of PETTUS / FARNSWORTH, LLC, counsel for the Appellant, does hereby certify that six (3) copies of the Appellant's Motion for Extension to file Initial Reply Brief, Response to Respondent's Motion to Exclude, and Designation of Matter in the above-captioned matter was sent by electronic mail and by placing in the United States Mail, first class postage prepaid, along with the filing fee of \$50.00, at the below listed addresses clearly indicated on said envelopes this the 22nd day of March, 2024.

The South Carolina Court of Appeals
Columbia, South Carolina 29201
1220 Senate Street
ctappfilings@sccourts.org



Lauren O. Lipscomb
Senior Paralegal to
Daniel J. Farnsworth, Jr. (SC Bar
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LLC
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Lauren@FarnsworthLawOffices.com

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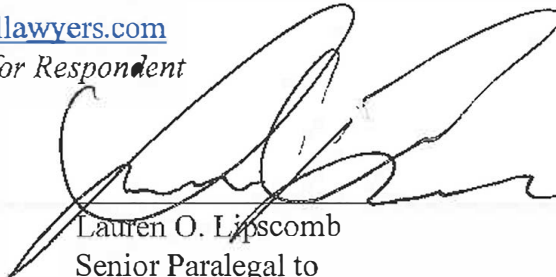
CERTIFICATE OF SERVICE

The undersigned paralegal of **PETTUS / FARNSWORTH, LLC**, counsel for the Appellant, does hereby certify that of the Appellant's Motion for Extension to file Initial Reply Brief and Response to Motion to Exclude, and Designation of Matter in the above-captioned matter was sent by electronic mail, at the below listed addresses clearly indicated on said envelopes this the 22nd day of March 2024.

John Kirman Moorehead, Esq
2203 North Main Street
Anderson, South Carolina 29621

kirk@mllawyers.com

Attorney for Respondent



Lauren O. Lipscomb
Senior Paralegal to
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Cox v. DiMaggio

4 messages

Lauren Lipscomb <Lauren@farnsworthlawoffices.com>

Thu, Mar 21, 2024 at 9:09 PM

To: Kirk Moorhead <kirk@mllawyers.com>, Tracy Ceres <tracy@mllawyers.com>, Dan Farnsworth <Dan@farnsworthlawoffices.com>

Good evening:

I hope you are well. Dan wanted me to reach out and see if you consented to an extension to his Initial Reply Brief. He is preparing for a civil trial in Greenville starting this upcoming week.

Please let me know when you are able. Have a great weekend!

Thanks,

--

Lauren Lipscomb
Firm Manager and Senior Paralegal to
Daniel J. Farnsworth, Jr.
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INJURY LAW and WRONGFUL DEATH
NURSING HOME ABUSE

CRIMINAL LAW and DUI DEFENSE
POLICE MISCONDUCT

EMPLOYMENT LAW
and BUSINESS LITIGATION

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Lauren Lipscomb <Lauren@farnsworthlawoffices.com> Fri, Mar 22, 2024 at 6:47 PM
To: Kirk Moorhead <kirk@mllawyers.com>, Tracy Ceres <tracy@mllawyers.com>, Dan Farnsworth <Dan@farnsworthlawoffices.com>

Good evening Kirk

Sorry to bug you on this. I hope you are well. I spoke to your staff today, and they indicated you would be sending a reply via email.

Please advise. Thank you! Have a great weekend

Best,

Lauren

[Quoted text hidden]

Kirk Moorhead <kirk@mllawyers.com> Fri, Mar 22, 2024 at 6:53 PM
To: Lauren Lipscomb <Lauren@farnsworthlawoffices.com>
Cc: Tracy Ceres <tracy@mllawyers.com>, Dan Farnsworth <Dan@farnsworthlawoffices.com>

I'm sorry. Forgot to address your email from last night. No problem on the extension. I consent.

Sent from my iPhone

On Mar 22, 2024, at 6:47 PM, Lauren Lipscomb <Lauren@farnsworthlawoffices.com> wrote:

[Quoted text hidden]

Lauren Lipscomb <Lauren@farnsworthlawoffices.com> Fri, Mar 22, 2024 at 7:02 PM
To: Kirk Moorhead <kirk@mllawyers.com>
Cc: Tracy Ceres <tracy@mllawyers.com>, Dan Farnsworth <Dan@farnsworthlawoffices.com>

Thank you! Sorry to bug you. Have a nice weekend.

[Quoted text hidden]

PETTUS

FARNSWORTH

Reginald Hoffman Pettus (1920-2000)
John Wright Farnsworth (1941-1997)
Daniel Joseph Farnsworth (Of Counsel)

Daniel J. Farnsworth, Jr.*

*Member of the South Carolina and Virginia Bar

March 22, 2024

Attorneys and
Counselors at Law

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Greenville, South Carolina 29601

201 King Street
Keysville, Virginia 23947

United States Postal Service and AIS Email

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

RECEIVED

Mar 22 2024

SC Court of Appeals

Re: *Ronald Carl Cox, III v. Michael John Dimaggio*
Appellate Case Number: 2023-00149

Dear South Carolina Court of Appeals:

Please find enclosed Appellant's Motion for Extension to File Initial Reply Brief, Response to Respondent's Motion to Exclude, and Designation of Matter in the above-referenced matter due to Mr. Farnsworth's excessive caseload and upcoming civil trial in the Court of Common Pleas the week of March 25, 2024.


I have enclosed six (3) copies of the Appellant's Motion for Extension to File Initial Reply Brief, Response to Respondent's Motion to Exclude and Designation of Matter, along with the \$50.00 filing fee. I have also attached a copy of Opposing Counsel's consent to this motion.

By copy of this letter, I am serving copies on all counsel of record.

With kind regards, I remain

Yours truly,

PETTUS / FARNSWORTH, LLC


Lauren O. Lipscomb
Senior Paralegal to
Daniel J. Farnsworth, Jr. (SC Bar 6922)

/lol

Enclosures

Cc: John Kirkman Moorehead, Esq.
Cox Family

www.FarnsworthLawOffices.com

South Carolina Office 864.250.9119

Virginia Office 434.736.8171