

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM AIKEN COUNTY  
CIRCUIT COURT

Judge William Keesley

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Case No. 2018-CP-02-2208

2024-000147

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Richard Viviano and Johnette Gunter

Appellant,

v.

Fulton Jeffers and Braeloch I Association,  
Inc. d/b/a Braeloch Homeowner's  
Association, Sandy Carroll individually  
and in her capacity as a member of the  
Board of the Braeloch Homeowner's  
Association, and Derrick Boddy  
individually and in his capacity as a  
member of the Board of the Braeloch  
Homeowner's Association

Respondent

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REQUEST FOR 30 DAY EXTENSION

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The Appellant respectfully requests a 30-day extension to file the Appellant's Initial Brief and Designation of Matter in the above styled case. The request is made because of counsel's current trial schedule including actual trials and time needed to prepare. Opposing counsel have

been advised of this request and each has indicated that they do not have any objection to the request. Counsel for the Appellant acknowledges that, absent extraordinary circumstances, future requests will not be granted.

This is the second request for extension as to the filing of the Appellant's Initial Brief and Designation of Matter. .

May 9, 2024

s/ John W. Harte SC Bar 2773  
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**From:** Paul K. Simons <PSimons@hullbarrett.com>  
**Sent:** Monday, May 6, 2024 5:14 PM  
**To:** Clarke McCants <clarkemccants4@gmail.com>; John Harte <john@jwhartelaw.com>  
**Cc:** Mary LaFave <mary@crowelafave.com>; Krissy Heise <krissy@jwhartelaw.com>; Clarke McCants <mccants3rd@aol.com>; Shelley Stafford <shelley@crowelafave.com>  
**Subject:** RE: Viviano V. Jeffers appeal

No objection.

Paul Simons, Jr.  
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**From:** Clarke McCants <[clarkemccants4@gmail.com](mailto:clarkemccants4@gmail.com)>  
**Sent:** Monday, May 6, 2024 5:06 PM  
**To:** John Harte <[john@jwhartelaw.com](mailto:john@jwhartelaw.com)>  
**Cc:** Mary LaFave <[mary@crowelafave.com](mailto:mary@crowelafave.com)>; Krissy Heise <[krissy@jwhartelaw.com](mailto:krissy@jwhartelaw.com)>; Clarke McCants <[mccants3rd@aol.com](mailto:mccants3rd@aol.com)>; Paul K. Simons <[PSimons@hullbarrett.com](mailto:PSimons@hullbarrett.com)>; Shelley Stafford <[shelley@crowelafave.com](mailto:shelley@crowelafave.com)>  
**Subject:** Re: Viviano V. Jeffers appeal

No objection.

Clarke III

On Mon, May 6, 2024 at 4:06 PM John Harte <[john@jwhartelaw.com](mailto:john@jwhartelaw.com)> wrote:

That is most kind and I appreciate that. If the other attorneys on this email will confirm their position, I will file the request.

Hopefully I will be able to complete the brief well before the new due date.

*John*

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*Pursuant to the Order of the Supreme Court dated May 6, 2022, RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022) **Appellate Case No. 2020-00044** service by email must be made from an attorney's AIS email address. Attempts to serve this firm using paralegal or staff email addresses are accordingly invalid and will not constitute service on Mr. Harte or this firm.*

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**From:** Mary LaFave <[mary@crowelafave.com](mailto:mary@crowelafave.com)>

**Sent:** Monday, May 6, 2024 3:59 PM

**To:** John Harte <[john@jwhartelaw.com](mailto:john@jwhartelaw.com)>

**Cc:** Krissy Heise <[krissy@jwhartelaw.com](mailto:krissy@jwhartelaw.com)>; Clarke McCants <[clarkemccants4@gmail.com](mailto:clarkemccants4@gmail.com)>; Clarke McCants <[mccants3rd@aol.com](mailto:mccants3rd@aol.com)>; Paul K. Simons <[PSimons@hullbarrett.com](mailto:PSimons@hullbarrett.com)>; Shelley Stafford <[shelley@crowelafave.com](mailto:shelley@crowelafave.com)>

**Subject:** Re: Viviano V. Jeffers appeal

John,

I do not speak for any of the other defense counsel on this issue, but I have consulted with my clients, and we are willing to give you this extension. Absent extenuating circumstances, however, we are not inclined to provide another.

Sincerely,

A handwritten signature in blue ink that reads "Mary D. LaFave". The signature is written in a cursive style with a prominent flourish at the end.

Mary D. LaFave

*Crowe LaFave Garfield & Bagley*

Direct: 803.726.6756



**JOHN HARTE**  
— TRIAL LAWYERS —

**JOHN HARTE**  
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702 Chafee Lane Aiken, SC 29801

**DALTON COOPER**  
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May 9, 2024

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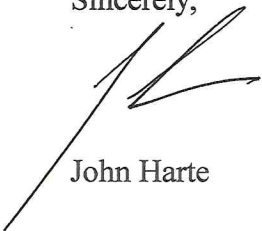
Paul Simons  
111 Park Ave, SW  
Aiken, SC 29801

Re: Viviano V. Jeffers, Boddy, and Braeloch HOA et al

Counsel,

Per my email correspondence, I am requesting a 30 day extension to file the appellant's initial brief and designation of matter. I have every intention of completing this well before the extension expires. I appreciate the professional curtesy extended by each of you in not objecting to the request. . .

Sincerely,




John Harte

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 803.226.0755