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May 22 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
In The Circuit Court

The Honorable Carolyn E. Woodruff, Judge of Probate
The Honorable Daniel D. Hall, Circuit Judge

Appellate Case No. 2024-00259

BERNICE CALDWELL,

Appellant,

v.

PATRICIA MITCHELL, in her own right and as Personal Representative,
DENNIS MITCHELL, SHARON M. CULP, THOMAS LAMONT DAVIS,
SUMTER O'NEAL CALDWELL and LATRINDA ROBINSON,

Of whom PATRICIA MITCHELL,
in her own right and as Personal Representative, is the

Respondent.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by her counsel herein, moves this Court for an order granting her an extension of time in which to file her Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:

1. By an extension granted by the Court, and by reason of counsel for Appellant's diagnosis of Covid, the Appellants' Initial Brief and Designation of Matter to be included in the Record is set as due as of May 22nd, 2024.
2. Due to the press of business, as exacerbated by those matters delayed by reason of counsel's illness, counsel for Appellant has been unable to complete the Initial Brief and Designation of Matter to be included in the Record on Appeal.

3. Counsel believes the same can be filed, without further delay, within thirty (30) days, that is: on or before Friday, June 21st, 2024.

The basis of this Motion is the within-cited Rule, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court to allow an extension of time in which to file her Initial Brief and Designation of Matter to be included in the Record on Appeal, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

May 22, 2024

/s/ John Martin Foster
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Other Counsel of Record:

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Of whom PATRICIA MITCHELL,
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PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time dated May 22, 2024, on the following counsel or persons of record:

Charles Baxter Burnette, IV
Burnette & Payne, P.A.
Attorney for Respondent
414 E. Main St.
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by service to the opposing lawyer's primary e-mail address listed in the Attorney Information System (AIS), as authorized by Section d(1) of the Order of the Supreme Court dealing with Electronic Filing and Service amended May 6, 2022.

May 22, 2024

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