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Jul 22 2024

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County

Honorable J. C. Buddy Nicholson, Circuit Court Judge

HANK E. HAWES,

PETITIONER

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

Appellate Case No.: 2023-001920

MOTION FOR AN EXTENSION OF TIME
TO FILE THE PETITION FOR WRIT OF CERTIORARI
AND APPENDIX

Counsel for Hank E. Hawes respectfully requests an extension of thirty (30) days from July 22, 2024 in which to serve and file the Petition for Writ of Certiorari and Appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The Petition for Writ of Certiorari and Appendix are due to be served and filed with the Court today.

2. Counsel for Hank E. Hawes respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.
3. Counsel had a contested trial in the case of NASSCO v. Byunghwan Chay a/k/a Bjorn Chay and Michelle Mihyang Chay (2023-CP-23-05263) on July 2, 2024. At the conclusion of the trial, the Master in Equity requested informal briefing from all parties due July 12, 2024. Counsel submitted memoranda in opposition Laurita P. Chmielewski as Trustee of the Laurita Chmielewski Trust v. James Travis Flynn (2023-CP-15-00418) and Laurita P. Chmielewski as Trustee of the Laurita Chmielewski Trust v. James Travis Flynn; Flynn Insurance Group, LLC a/k/a Flynn Wealth Management Group, LLC; KMF Holdings, LLC; Kylie M. Flynn a/k/a Kylie Semones; Lauren Warden; and Ronda Morgan, individually and as trustee of The Janice Fortin Irrevocable Trust (2024-CP-15-00074) on July 11, 2024. Counsel had a contested hearing in the case of Ameris Bank v. Robin Crump, Tim Crump, Jack Krauss, Edward M. Terry and Cemex Construction Materials, LP on July 12, 2024. Counsel had a Rule to Show Cause and Contempt hearing in the case of Anderson Brothers Bank v. Charles F. Cooper, Jr. (2022-CP-22-00173) on July 15, 2024, following which, the Master in Equity requested proposed Orders. Counsel argued the motions to dismiss in Laurita P. Chmielewski as Trustee of the Laurita Chmielewski Trust v. James Travis Flynn (2023-CP-15-00418) and Laurita P. Chmielewski as Trustee of the Laurita Chmielewski Trust v. James Travis Flynn; Flynn Insurance Group, LLC a/k/a Flynn Wealth Management Group, LLC; KMF Holdings, LLC; Kylie M. Flynn a/k/a Kylie Semones; Lauren Warden; and Ronda Morgan,

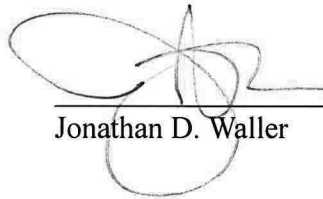
individually and as trustee of The Janice Fortin Irrevocable Trust (2024-CP-15-00074)

on July 18, 2024.

4. Counsel makes this request in good faith and not for purpose of delay.
5. On July 22, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request, in writing.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from July 22, 2024, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that the time limits for serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jonathan D. Waller', is written over a horizontal line. The signature is stylized and somewhat cursive.

Jonathan D. Waller

This 22nd day of July 2024