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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

Case No. 2022-CP-46- 03201

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 TO EXTEND TIME TO FILE RESPONDENT'S INITIAL BRIEF

Appellate Case No.: 2024-00259

Pursuant to Rule 263 of the South Carolina Appellate Court Rules the Respondent, by its counsel herein, moves this Court for an order granting an extension of time as to the correction of deficiencies, filing and service of its Initial Brief on the grounds stated below:

1. On July 25, 2024, Respondent received correspondence from the Court, notifying them that Respondent's Initial Brief and Designation of Matter must be filed within 10 days, including the need to file a motion to allow the late filing.
2. The Respondent's Initial Brief was filed herein and served on August 1, 2024.
3. Upon information and belief, Respondent has cured the deficiencies identified by the Court.
4. Under Rules 208 and 209 SCACR, the time to file and serve Respondent's Initial Brief may be extended by the appellate court, or by any judge or justice thereof.
5. Upon information and belief, no prejudice has occurred to the Appellant by this delay.
6. To this end, counsel for Respondent requests an extension of time as to the filing of the Initial Brief until this date. The document is filed on this date.

The basis of this Motion is the within-cited Rules and the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Respondent herein moves this Court to be allowed for an extension of time in which to file their Initial Brief, as set out above, until this date.

s/Charles B. Burnette IV
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August 1, 2024

Rock Hill, South Carolina