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**Aug 02 2024**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE SOUTH CAROLINA COURT OF COMMON PLEAS FOR  
JASPER COUNTY  
Carmen T. Mullen, Circuit Court Judge

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Appellate Case No. 2023-001708

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Jasper County,

Respondent-Appellant,

v.

Western Surety Company and Denise Smith,

Defendants,

Of which Western Surety Company is the Appellant-Respondent.

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**WESTERN SURETY COMPANY'S MOTION FOR EXTENSION OF TIME**

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Pursuant to South Carolina Appellate Court Rule 240, Appellant-Respondent Western Surety Company ("Western Surety") hereby moves for an extension of time in which to serve and file Western Surety's Reply Brief in reply to Respondent-Appellant Jasper County's Initial Brief in this matter. Western Surety requests an extension of ten (10) days to file its Reply Brief, which is currently due on August 6, 2024. This is Western Surety's second request for an extension of time to file its Reply Brief.

The grounds for this motion are that the parties have agreed to settle this case and are in the process of finalizing settlement documents, and the parties' agreed dismissal of this case is forthcoming pending the parties' consummation of the settlement. The requested ten-day

extension will not prejudice the rights of any party. Granting this motion would require Western Surety's Reply Brief to be served and filed with the Court on or before August 16, 2024.

For the foregoing reasons, Western Surety respectfully requests a ten-day extension to serve and file its Reply Brief until August 16, 2024.

Respectfully submitted,

*s/Daniel R. Fuerst*

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*Attorneys for Western Surety Company*

August 2, 2024

Charleston, South Carolina

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Jasper County,

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v.

Western Surety Company and Denise Smith,

Defendants,

Of which Western Surety Company is the Appellant-Respondent.

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on August 2, 2024, a true and correct copy of **Western Surety Company's Motion for Extension of Time** in the above-referenced matter was served on the party below via electronic mail:

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*/s/ Daniel R. Fuerst* \_\_\_\_\_

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(843) 579-7000

*Counsel for Appellant Western Surety Company*

**Moore&VanAllen**

August 2, 2024

**VIA EMAIL ONLY**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211  
Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

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**Re: Jasper County v. Western Surety Company**  
**Civil Action No.: 2019-CP-27-00674**  
**Appellate Case No.: 2023-001708**  
**MVA File No.: 513927.000067**

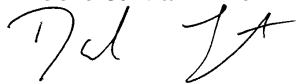
Dear Ms. Kitchings:

Regarding the above-referenced matter, enclosed for filing please find Western Surety Company's Motion for Extension of Time to file its Reply Brief. By copy of this letter, I am serving a copy of the foregoing on counsel of record for Respondent.

Should you have any questions, please feel free to contact me.

Sincerely,

Moore & Van Allen PLLC



Daniel R. Fuerst

DRF/eob

Enclosures: as stated

cc: All counsel of record.

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**SC Court of Appeals**

Charlotte, NC  
Charleston, SC