

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

69744

Appeal From York County
Court of Common Pleas
John C. Hayes, III, Circuit Court Judge

Case No. 2009-CP-46-03360

RECEIVED

SEP 12 2013

SC Court of Appeals

Robert K. Marshall, Jr., and
Donna Chapman Marshall,
doing business as "Rock Hill Property
Management," a South Carolina
general partnership, Appellants,

v.

The City of Rock Hill, South Carolina,
a municipal corporation, Carey F. Smith,
in his capacity as City Manager, and
Lori Thomas, in her capacity as
Customer Services Manager Respondents.

**MOTION FOR EXTENSION OF TIME
WITH CONSENT OF APPELLANTS**

COMES NOW respondents The City of Rock Hill, South Carolina, a municipal corporation, Carey F. Smith, in his capacity as City Manager, and Lori Thomas, in her capacity as Customer Services Manager (collectively, "Respondents") through their undersigned counsel and pursuant to Rules 240 and 263(b), SCACR, and respectfully request an extension of time to serve and file the Initial Brief of Respondents and

Designation of Matter to be Included in the Record on Appeal ("Respondents' Brief").

Appellants served their Initial Brief of Appellants ("Initial Brief") on June 25, 2013. The Court previously granted the City a thirty-day extension of time, until September 23, 2013, to serve and file Respondents' Brief in this matter. The City respectfully requests the Court grant the City an additional thirty-day extension, or until October 23, 2013, to file and serve Respondents' Brief. Counsel for Respondents requests this third extension due to a current heavy workload which has impeded progress on this matter and to allow sufficient time to properly prepare Respondents' Brief.

Counsel for Respondents has contacted John Martin Foster, counsel for Appellants, to discuss the circumstances of this Motion and Mr. Foster consents to this Motion.

WHEREFORE, Respondents respectfully request an additional thirty-day extension of time in which to serve and file the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal.

SPENCER & SPENCER, P.A.

By: 

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ATTORNEY FOR RESPONDENTS

THE STATE OF SOUTH CAROLINA
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Lori Thomas, in her capacity as
Customer Services Manager Respondents.

PROOF OF SERVICE

I certify that the foregoing Motion for Extension of Time
has been served by depositing a copy thereof in the United
States Mail, postage prepaid, on September 10th, 2013,
addressed to:

John Martin Foster
223 East Main Street, Suite 520
P.O. Box 106
Rock Hill, SC 29731

SPENCER & SPENCER, P.A.

By: 
Jeremy D. Melville

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September 10, 2013

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Robert K. Marshall, Jr., et al. v. The City of Rock Hill, et
al.
Case No. 2009-CP-46-03360

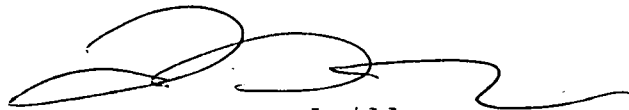
Dear Ms. Kitchings:

This firm represents the Respondents in the matter referenced
above.

Enclosed please find an original and seven copies of a Motion for
Extension of Time and Proof of Service, along with a \$25.00 check for
the motion fee. Please file these documents with the records of your
Court and return clocked copies to me in the enclosed envelope.
Please call if you have any questions or concerns.

Sincerely,

SPENCER & SPENCER, P.A.



Jeremy D. Melville

cc: John Martin Foster, Esq.