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**Nov 27 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SUMTER COUNTY  
George M. McFaddin, Jr., Circuit Court Judge

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Appellate Case No. 2024-001681  
Case No. 2019-CP-43-1021

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Kimberly Welch, as Personal Representative of the  
Estate of Judy Ann Haselden, ..... Respondent,

v.

Michael D. Smoak and Murray Sand Co., Inc., ..... Appellants.

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**MOTION FOR EXTENSION OF TIME  
TO FILE INITIAL BRIEF OF APPELLANTS**

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The Appellants Michael D. Smoak and Murray Sand Co., Inc. respectfully move this Court for an additional 30-day extension of time until January 3, 2025, by which to file and serve their Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellants’ motion is based on the following grounds:

1. The Appellants' Initial Brief and its Designation of Matter to be Included in the Record on Appeal are currently due to be filed and served on or before December 4, 2024.

2. The undersigned counsel requires additional time to complete the Initial Brief of Appellants due to his schedule and deadlines. Specifically, the undersigned counsel has Court of Appeals oral arguments on December 2 and 4, 2024. He also has another brief in a complex medical malpractice case due in this Court on December 4, 2024.

3. The undersigned has consulted with counsel for the Respondent, and Murrell Smith has consented to the requested extension by reply email. (See attached).

WHEREFORE, the Appellants Michael D. Smoak and Murray Sand Co., Inc. respectfully request that they be allowed until January 3, 2025, by which to file and serve their Initial Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN LAW FIRM, P.A.

BY: s/ Andrew F. Lindemann  
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*Counsel for Appellants*

November 27, 2024

**From:** Fred Hanna  
**To:** Murrell Smith; Andrew Lindemann  
**Cc:** "sarah@walkerallenlaw.com"; "wallace@walkerallenlaw.com"; "eh temple@htlawsc.com"; "ashogsette@htlawsc.com"; "jeff@walkerallenlaw.com"; Jennifer Baker  
**Subject:** RE: Welch for Haselden v Smoak - Case No. 2024-001681 TIME SENSITIVE  
**Date:** Wednesday, November 27, 2024 8:51:50 AM  
**Attachments:** [image238657.png](#)  
[image138232.png](#)  
[image076618.png](#)

Yes, hope you have a nice Thanksgiving.

Fred



Forward thinking. Results driven.

**Columbia**

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**From:** Murrell Smith <murrell@smithrobinsonlaw.com>

**Sent:** Wednesday, November 27, 2024 8:49 AM

**To:** Andrew Lindemann <Andrew@ldlawsc.com>; Fred Hanna <fred.hanna@smithrobinsonlaw.com>

**Cc:** 'sarah@walkerallenlaw.com' <sarah@walkerallenlaw.com>; 'wallace@walkerallenlaw.com' <wallace@walkerallenlaw.com>; 'eh temple@htlawsc.com' <eh temple@htlawsc.com>; 'ashogsette@htlawsc.com' <ashogsette@htlawsc.com>; 'jeff@walkerallenlaw.com' <jeff@walkerallenlaw.com>; Jennifer Baker <jennifer@ldlawsc.com>

**Subject:** Re: Welch for Haselden v Smoak - Case No. 2024-001681 TIME SENSITIVE

No objection to an extension Andrew. Happy Thanksgiving. Murrell



Forward thinking. Results driven.

*Smith Robinson Holler DuBose and Morgan, LLC*

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**G. Murrell Smith, Jr.**

*Attorney at Law*

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**Sumter Office:** 126 N. Main Street, Sumter, SC 29151

**From:** Andrew Lindemann <Andrew@ldlawsc.com>

**Sent:** Wednesday, November 27, 2024 8:38:31 AM

**To:** Fred Hanna <fred.hanna@smithrobinsonlaw.com>

**Cc:** 'sarah@walkerallenlaw.com' <sarah@walkerallenlaw.com>; 'wallace@walkerallenlaw.com' <wallace@walkerallenlaw.com>; 'eh temple@htlawsc.com' <eh temple@htlawsc.com>; 'ashogsette@htlawsc.com' <ashogsette@htlawsc.com>; Murrell Smith <murrell@smithrobinsonlaw.com>; 'jeff@walkerallenlaw.com' <jeff@walkerallenlaw.com>; Jennifer Baker <jennifer@ldlawsc.com>

**Subject:** Welch for Haselden v Smoak - Case No. 2024-001681 TIME SENSITIVE

Fred:

I hope you are doing well. I am assuming that you are the lead counsel for this appeal so I am directing this request to you.

I have a big favor to ask. The Appellant's Initial Brief is due in this case next week on December 4, 2024. I already have another Court of Appeals brief due on that date, as well as Court of Appeals oral arguments on December 2<sup>nd</sup> and 4<sup>th</sup>. Definitely a brutal week. Plus, I am scheduled to me out of state with my family this weekend for Thanksgiving.

With that said, would you kindly consent to an additional 30-day extension to January 3, 2025, which would get me through the end of year rush and the holidays. I would definitely appreciate the courtesy.

I'd like to get that extension motion filed today before the Court closes for the holiday. Please let me know if you consent as soon as you can.

Thanks and I hope everyone has a Happy Thanksgiving.

Andrew

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SUMTER COUNTY  
George M. McFaddin, Jr., Circuit Court Judge

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Nov 27 2024

SC Court of Appeals

Appellate Case No. 2024-001681  
Case No. 2019-CP-43-1021

Kimberly Welch, as Personal Representative of the  
Estate of Judy Ann Haselden, ..... Respondent,

v.

Michael D. Smoak and Murray Sand Co., Inc., ..... Appellants.

CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), the undersigned employee of Lindemann Law Firm, P.A., counsel for the Appellants, does hereby certify that service of the **Motion for Extension of Time to File Initial Brief of Appellants** in the above-captioned matter was made upon all counsel of record by email only this the 27th day of November 2024, as follows:

E. Hood Temple, Esquire  
Alexander S. Hogsette, Esquire  
Hatfield Temple Law, LLC  
Email: [eh temple@htlawsc.com](mailto:eh temple@htlawsc.com)  
Email: [ashogsette@htlawsc.com](mailto:ashogsette@htlawsc.com)





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\*Also Admitted in North Carolina

November 27, 2024

RECEIVED  
Nov 27 2024  
SC Court of Appeals

Via Email Only

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

RE: Kimberly Welch, as Personal Representative of the Estate of Judy Ann Haselden v. Michael D. Smoak and Murray Sand Co., Inc.  
Appellate Case Number: 2024-001681  
Civil Action Number: 2019-CP-43-1021  
Our File Number: 79.20769

Dear Ms. Kitchings:

Pursuant to Section (b)(2) the Supreme Court's Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), please find enclosed for filing the **Motion for Extension of Time to File Initial Brief of Appellants** with regard to the above referenced appeal. By copy of this letter, I am serving copies on all counsel of record by email only pursuant to Section (d)(1) of the same Supreme Court Order.

My firm's \$50.00 check for the filing fee will be mailed to the Court via U.S. Mail. If you have any questions, please advise. Thank you for your assistance.

Sincerely,

LINDEMANN LAW FIRM, P.A.

Andrew F. Lindemann

AFL/jmb  
Enclosure

cc: E. Hood Temple, Esquire (w/ Enclosure, Via Email Only)  
Alexander S. Hogsette, Esquire (w/ Enclosure, Via Email Only)  
G. Murrell Smith, Jr., Esquire (w/ Enclosure, Via Email Only)  
Frederick N. Hanna Jr., Esquire (w/ Enclosure, Via Email Only)  
Jeffrey T. Ammons, Esquire (w/ Enclosure, Via Email Only)  
Sarah Rand-McDaniel, Esquire (w/ Enclosure, Via Email Only)  
S. Wallace Carnwath, III, Esquire (w/ Enclosure, Via Email Only)