

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

.....

APPEAL FROM BEAUFORT COUNTY COURT OF COMMON PLEAS  
FOURTEENTH JUDICIAL CIRCUIT

MARVIN H. DUKES, III, PRESIDING JUDGE

CASE NO.; 2011-CP-07-2148

.....

BRUCE MILLER, .....Appellant

v.

COLUMBIA FOREST, INC., HATCH FOREST,  
AND IDA M. SINGLETON .....Respondents

.....

NOTICE OF MOTION OBJECTING TO EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT

RECEIVED  
SEP 20 2013  
SC Court of Appeals

.....

The Respondent would respectfully object to an extension of time to file the Initial Brief of Appellant in the above captioned matter which was due on September 16, 2013.

Appellant filed his Notice of Appeal on March 5, 2013. Because Appellant did not timely receive the transcript of trial, notice to file the Initial Brief was extended to July 17, 2013.

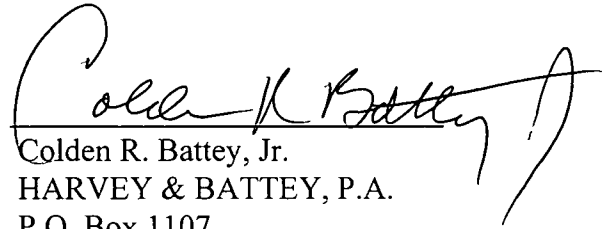
Appellant filed for and was granted an extension of time to file the Initial Brief until August 16, 2013.

Thereafter, Appellant filed for and was granted an extension of time until September 16, 2013 to file his Initial Brief.

Appellant now seeks an additional extension of thirty (30) days to file its Initial Brief.

The continued extensions severely prejudices the Respondent in that this is an action involving real estate on which the Appellant has stored junked automobiles. The Respondent is unable to use or enjoy her property until this case is resolved and these automobiles are removed.

Accordingly, it is respectfully requested that this thirty (30) day extension of time be denied.



Colden R. Battey, Jr.  
HARVEY & BATTEY, P.A.  
P.O. Box 1107  
Beaufort, SC 29901-1107  
843-524-3109 (telephone)  
843-524-6973 (fax)  
Attorneys for the Respondent  
Ida M. Singleton

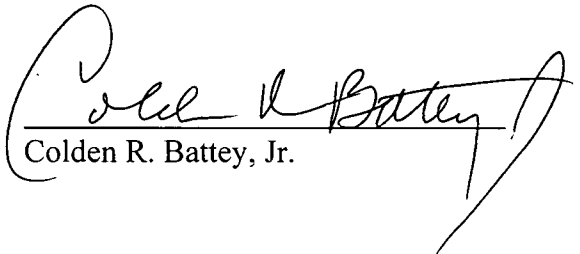
Beaufort, South Carolina

September 17, 2013

CERTIFICATE OF SERVICE

This is to certify that I have this 17<sup>th</sup> day of September, 2013, served a copy of the **Notice of Motion Objecting to Extension of Time in Which to File the Initial Brief of Appellant** upon opposing counsel by placing a copy of same in the United States Mail with sufficient postage affixed to the following:

James H. Moss, Esquire  
Moss, Kuhn & Fleming, P.A.  
P.O. Drawer 507  
Beaufort, SC 29901-0507

  
Colden R. Battey, Jr.

Beaufort, South Carolina

**RECEIVED**

SEP 20 2013

**SC Court of Appeals**



**HARVEY & BATTEY, PA**  
— ATTORNEYS AT LAW —  
SINCE 1922

P.O. DRAWER 1107 • 1001 CRAVEN STREET • BEAUFORT, SC 29901-1107  
(843) 524-3109 • (843) 524-6973 FAX • www.harveyandbattey.com

W. BRANTLEY HARVEY, SR.  
(1893-1981)

W. BRANTLEY HARVEY, JR.  
(Retired)

COLDEN R. BATTEY, JR.

WILLIAM B. HARVEY, III  
(SC Circuit Court Mediator)

JOHN M. TATUM, III  
THOMAS C. DAVIS

THOMAS A. HOLLOWAY  
(also admitted in PA and NJ)

EUGENE PARRS  
(also admitted in NY, NC, FL and GA)

J. SAM SCOVILLE  
KEVIN E. DUKES

September 17, 2013

V. Claire Allen, Deputy Clerk  
S. C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**Re: Bruce Miller vs. Columbia Forest, inc., et al**  
**Case No.: 2011-CP-07-2148**

Dear Ms. Allen:

Enclosed please find the original and six (6) copies of my Notice of Motion Objecting to Extension of Time in Which to File the Initial Brief of Appellant in the above referenced matter which I would appreciate you filing. By copy of this letter to James H. Moss, Esquire, I hereby serve a copy of the document upon him.

With kindest personal regards, I remain

Yours truly,

HARVEY & BATTEY, P.A.

Colden R. Battey, Jr.

CRBjr:dd

enclosures

cc: James H. Moss, Esquire

**RECEIVED**

SEP 20 2013

**SC Court of Appeals**