

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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

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.

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

The Appellants Michael D. Smoak and Murray Sand Co., Inc. respectfully move this Court for an additional 10-day extension of time until April 7, 2025, by which to file and serve their Initial Reply 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 Reply 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 March 27, 2025.
2. The undersigned counsel requires additional time to complete the Initial Reply Brief of Appellants due to his schedule and deadlines. Specifically, the undersigned counsel is in a bench trial in Charleston County today and has a brief due in federal court, as well as another brief due on

March 26, 2025 in this Court in another matter. Additionally, the undersigned counsel needs to travel out of state tomorrow morning to his mountain house in North Carolina to secure his home and belongings due to threatened wildfires in that area.

3. The undersigned counsel has consulted with counsel for the Respondent, and Fred Hanna 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 April 7, 2025, by which to file and serve their Initial Reply 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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JEFFREY T. AMMONS #12419  
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(854) 529-0595

*Counsel for Appellants*

March 26, 2025

**From:** [Fred Hanna](#)  
**To:** [Andrew Lindemann](#); [Murrell Smith](#)  
**Cc:** ["sarah@walkerallenlaw.com"](#); ["wallace@walkerallenlaw.com"](#); ["eh temple@htlawsc.com"](#); ["ashogsette@htlawsc.com"](#); ["jeff@walkerallenlaw.com"](#); [Jennifer \(Baker\) Chapman](#)  
**Subject:** Re: Welch for Haselden v Smoak - Case No. 2024-001681 TIME SENSITIVE  
**Date:** Wednesday, March 26, 2025 10:24:12 AM  
**Attachments:** [image264639.png](#)  
[image558753.png](#)  
[image641933.png](#)

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We consent to the requested extension. And I hope everything is okay with your house.

Fred

Get [Outlook for iOS](#)



**Columbia**

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**Camden:** 803.432.1992

**Sumter:** 803.778.2471



**Fred Hanna**

Associate

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**From:** Andrew Lindemann <[Andrew@ldlawsc.com](mailto:Andrew@ldlawsc.com)>  
**Sent:** Wednesday, March 26, 2025 10:19:43 AM  
**To:** Fred Hanna <[fred.hanna@smithrobinsonlaw.com](mailto:fred.hanna@smithrobinsonlaw.com)>; Murrell Smith <[murrell@smithrobinsonlaw.com](mailto:murrell@smithrobinsonlaw.com)>  
**Cc:** 'sarah@walkerallenlaw.com' <[sarah@walkerallenlaw.com](mailto:sarah@walkerallenlaw.com)>; 'wallace@walkerallenlaw.com' <[wallace@walkerallenlaw.com](mailto:wallace@walkerallenlaw.com)>; 'eh temple@htlawsc.com' <[eh temple@htlawsc.com](mailto:eh temple@htlawsc.com)>; 'ashogsette@htlawsc.com' <[ashogsette@htlawsc.com](mailto:ashogsette@htlawsc.com)>; 'jeff@walkerallenlaw.com' <[jeff@walkerallenlaw.com](mailto:jeff@walkerallenlaw.com)>; Jennifer (Baker) Chapman <[Jennifer@ldlawsc.com](mailto:Jennifer@ldlawsc.com)>  
**Subject:** Welch for Haselden v Smoak - Case No. 2024-001681 TIME SENSITIVE  
Fred and Murrell:

I have a favor to ask. My initial reply brief is due in this appeal tomorrow. I need to ask the Court of Appeals for an additional 10 day extension.

I am in trial today in Charleston for a bench trial. I also have another brief due in the Court of Appeals tomorrow. In addition, as a personal matter, I have a mountain house in Connestee, NC (outside Brevard). I have learned this morning that many people are starting to evacuate from that area due to the nearby wildfires. As a result, I will likely need to travel up there tomorrow morning to try to save some personal items from the house, just in case we are threatened by those fires in the next few days.

Please let me know your position as soon as possible.

Thanks.

RECEIVED

Mar 26 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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

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 Reply Brief of Appellants** in the above-captioned matter was made upon all counsel of record by email only this the 26th day of March 2025, 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)

G. Murrell Smith, Jr., Esquire  
Frederick N. Hanna Jr., Esquire  
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*s/ Andrew F. Lindemann*

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\*Also Admitted in North Carolina

March 26, 2025

**RECEIVED**  
**Mar 26 2025**  
**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 Reply 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/jac  
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)