

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY  
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

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OCT 18 2013

SC Court of Appeals

Case No. 2008-CP-11-1038

Christopher Drye, d/b/a Drye's Auto Crushing ..... Respondent,

v.

Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total Inc., Edward Keith Potter  
individually and as President of Total Inc. .... Defendants,

Of whom,

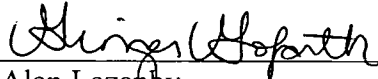
Mike Gault is ..... Appellant.

**SECOND MOTION TO EXTEND TIME TO FILE INITIAL BRIEF AND  
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL**

Appellant Mike Gault moves pursuant to Rule 240, SCACR for an order extending his time to file and serve the Initial Brief and Designation of Matter to be Included in Record on Appeal for a period of 30 days. Appellant requests this single additional extension in order to provide counsel sufficient time to adequately research and prepare these pleadings. This particular appeal involves several transcripts and a complicated procedural history. Appellant

submits that this motion is not interposed for delay. Appellant also requests that the Court of Appeals hold all time limits in abeyance pending its ruling on this motion.

Respectfully submitted, .

  
\_\_\_\_\_  
D. Alan Lazenby  
Ginger D. Goforth

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Attorneys for Appellant

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY  
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No. 2008-CP-11-1038

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SC COURT OF APPEALS

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v.

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individually and as President of Total Inc. .... Defendants,

Of whom,

Mike Gault is ..... Appellant.

**PROOF OF SERVICE**

I, the undersigned, hereby certify the Motion to Extend Time to File Initial Brief and Designation of Matter to be Included in Record on Appeal in the above referenced matter was mailed, postage prepaid, to Respondent's Attorney, Wade S. Weatherford, III, by sending to PO Box 2207, Gaffney, SC 29342, on October 16, 2013.

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**ATTORNEYS FOR APPELLANT**

October 16, 2013

# LAZENBY LAW FIRM, LLC

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October 16, 2013

The Honorable Jenny Abbott Kitchings  
SC Court of Appeals Clerk  
PO Box 11629  
Columbia, SC 29211

**Re: *Christopher Drye, d/b/a Drye's Auto Crushing, Plaintiff v. Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total Inc., Edward Keith Potter individually and as President of Total Inc., Defendants***  
**In the Court of Common Pleas for Cherokee County**  
**C.A. No: 2008-CP-11-1038**

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Dear Ms. Kitchings:

I enclose herewith an original and one copy of a Motion to Extend Time to File Initial Brief and Designation of Matter to be Included in Record on Appeal on behalf of Appellant. Please file the original and send a clocked copy back to me in the envelope I have enclosed for your convenience. I appreciate your assistance in this regard.

Sincerely,



Ginger D. Goforth  
[ginger@lazenbylawfirm.com](mailto:ginger@lazenbylawfirm.com)

GDG: jeh  
cc: Wade Weatherford, III, Esq.  
Office of Court Administration

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