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SC Court of Appeals

Motion for Extension of Time

South Carolina Court of Appeals

IN THE COURT OF APPEALS

State of South Carolina

Appellate Case No.: 2024-001795; Lower Forum Docket No.: 21-ALJ-22-0047-AP

Caption: James M. Harley, Appellant, versus South Carolina Department of Employment and Workforce and Bradshaw Automotive Group

Formal Motion for Extension of Time

Comes now the Appellant, appearing Pro Se, and respectfully moves this Honorable Court for an extension of forty-five (45) days within which to file the next required brief or pleading. This motion is submitted pursuant to Rule 240, South Carolina Appellate Court Rules (“SCACR”), and is based on the following grounds, each offered in the interest of justice and orderly administration of these proceedings:

1. Settlement Discussions and Conservation of Judicial Resources

Appellant respectfully requests additional time to pursue meaningful settlement negotiations with opposing parties. Consistent with the precedent of this Court, the South Carolina judiciary has repeatedly underscored the value of alternative dispute resolution in reducing the burden on the courts and minimizing costs for litigants. See, e.g., *Doe v. Roe*, 386 S.C. 624, 690 S.E.2d 548 (Ct. App. 2010) (“This Court encourages parties to pursue settlement and mediation in good faith, as doing so can avoid unnecessary expenditure of court resources and party fees.”); *Smith v. Smith*, 386 S.C. 251, 687 S.E.2d 720 (Ct. App. 2009) (“Mediation is favored as it often leads to consensual resolution and judicial economy.”).

To facilitate these discussions, Appellant is in the process of interviewing counsel to represent him specifically for settlement purposes. However, due to the significant cost involved, Appellant is unable to retain counsel for appellate briefing or oral argument.

2. Need for Additional Time Due to Pro Se Status

As a Pro Se litigant, Appellant respectfully submits that additional time is necessary to gain a more comprehensive understanding of the procedural and substantive requirements of

the South Carolina Court of Appeals, including the relevant rules, the applicable law, and the voluminous case record. Given the complexity of the issues involved, the extension is needed to ensure the effective and fair presentation of Appellant's case to this Honorable Court.

3. Health and Personal Circumstances

Appellant has been managing several chronic and serious medical conditions, including vertigo, and is presently scheduled to undergo surgery and related surgery based diagnostic procedures for a complex urological condition in the coming days. These health challenges, including the associated treatments and recovery, will significantly impact Appellant's capacity to prepare timely filings.

Furthermore, Appellant has recently suffered the loss of his father, Dr. Jimmie E. Harley, as already documented by the obituary previously submitted to this Court. This bereavement has had pronounced financial, emotional, and personal effects on Appellant, which further justify the requested extension.

4. Absence of Prejudice and Interest of Justice

This motion is made in good faith for the reasons articulated above and not for purposes of delay. Granting the requested extension will not prejudice any party; rather, it will promote the interests of justice, fairness, and judicial efficiency.

WHEREFORE

Appellant respectfully requests that this Honorable Court grant a sixty (60) day extension from the present deadline to allow time for settlement discussions, the retention of settlement counsel, and to permit Appellant an adequate opportunity to prepare the filings considering his health and personal circumstances, and for such further relief as the Court deems just and proper.

Respectfully submitted,

[Signature of Pro Se Appellant; Transmitted Separately]

James Michael Harley, Pro Se

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5. Proof of Service

This is to certify that the motion is being served today, July 1, 2025, via electronic mail to the following recipients:

- **Sarah M. Gable** First Base Building 3243 Boyce Street, Suite 401 Columbia, SC 29201 sarah.gable@ogletree.com (803) 252-1300
- **Valerie McMellan** SC Department of Employment and Workforce PO Box 8597 Columbia, SC 29202 Legal@SCDEW.SC.GOV (803) 737-0395