



THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENWOOD COUNTY  
Court of Common Pleas

The Honorable Frank R. Addy, Jr., Circuit Court Judge

Appellate Case No. 2025-001945

Lower Case No. 2023-CP-24-00800

The Estate of Herbert Rivers Anderson, Jr., by its Successor Personal Representative, J. Kershaw Spong,..... Appellant,

v.

Anderson Family Properties of Greenwood, LLC,..... Respondent.

**APPELLANT’S MOTION FOR AN EXTENSION OF TIME  
TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER**

Pursuant to Rules 240 and 263, SCACR, Appellant The Estate of Herbert Rivers Anderson, Jr., by its Successor Personal Representative, J. Kershaw Spong, by and through its undersigned counsel, respectfully requests a thirty (30) day extension of the December 3, 2025, deadline by which Appellant must file its Initial Brief and Designation of Matter to be Included in the Record on Appeal. This is Appellant’s first request for an extension of the deadline.

The basis for this request is that the undersigned requires additional time to properly prepare the brief due to other pressing court deadlines, professional commitments, and the intermittent Thanksgiving holiday. With this extension, Appellant’s Initial Brief and Designation of Matter would be due January 2, 2026.

Accordingly, Appellant respectfully requests a thirty (30) day extension to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully submitted,

s/Benjamin R. Gooding

R. William Metzger, Jr. [SC Bar #12852]

Benjamin R. Gooding [SC Bar #100620]

Sarah C. Frierson [SC Bar #104643]

ROBINSON GRAY STEPP & LAFFITTE, LLC

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*Counsel for Appellant*

Columbia, South Carolina  
December 1, 2025

RECEIVED

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENWOOD COUNTY  
Court of Common Pleas

The Honorable Frank R. Addy, Jr, Circuit Court Judge

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The Estate of Herbert Rivers Anderson, Jr., by its Successor Personal Representative,  
J. Kershaw Spong.....Appellant,

v.

Anderson Family Properties of Greenwood, LLC..... Respondents.

**PROOF OF SERVICE**

Pursuant to Rule 262(c)(3), SCACR, I certify that I have caused the **Appellant’s Motion for Extension of Time to File Initial Brief and Designation of Matter** to be served on the following counsel of record by AIS email at the following addresses:

Sarah Timmons, Esquire [SC Bar #100007]  
Timmons Law Firm, LLC  
25 Delano Drive, Suite E  
Greenville, SC 29601  
(864) 906-0289  
[sarah@timmonsbrogdon.com](mailto:sarah@timmonsbrogdon.com)

(Signature Page Follows)

ROBINSON GRAY STEPP & LAFFITTE, LLC

By: s/Benjamin R. Gooding

R. William Metzger, Jr. [SC Bar #12852]

Benjamin R. Gooding [SC Bar #100620]

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[sfrierson@robinsongray.com](mailto:sfrierson@robinsongray.com)

***Counsel for Appellant***

Columbia, South Carolina

December 1, 2025

**From:** [Cynthia D. Nygord](#)  
**To:** [Sarah Timmons](#)  
**Cc:** [Dara Carmichael](#); [Bill Metzger](#); [Melissa H. White](#); [Rebecca Faulkenberry](#); [Benjamin Gooding](#); [Sarah Frierson](#)  
**Bcc:** ["{F472936}.CLIENTS@mail.cloudimanage.com"](#)  
**Subject:** RE: Anderson Estate - Motion for Extension  
**Date:** Monday, December 1, 2025 3:30:11 PM  
**Attachments:** [Motion for First Extension of Time to File Appellants Initial Brief and DOM.pdf](#)  
[image001.png](#)  
[Proof of Service - Motion for Extension.pdf](#)  
[2025-12-01 - Letter to Court - Transcript Rec"d.pdf](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Dear Counsel:

The attached are being filed with the SC Court of Appeals this afternoon.

A copy of this email will be filed with the Proof of Service.

With kindest regards,  
Cyndi Nygord



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**CYNDI NYGORD** PARALEGAL

DIRECT 803.231.7845

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**From:** Benjamin Gooding <[bgooding@robinsongray.com](mailto:bgooding@robinsongray.com)>

**Sent:** Monday, December 1, 2025 3:08 PM

**To:** Sarah Frierson <[sfrierson@robinsongray.com](mailto:sfrierson@robinsongray.com)>; Cynthia D. Nygord <[cnygord@robinsongray.com](mailto:cnygord@robinsongray.com)>

**Cc:** Dara Carmichael <[dcarmichael@robinsongray.com](mailto:dcarmichael@robinsongray.com)>; Bill Metzger <[bmetzger@robinsongray.com](mailto:bmetzger@robinsongray.com)>;  
Melissa H. White <[mwhite@robinsongray.com](mailto:mwhite@robinsongray.com)>; Rebecca Faulkenberry  
<[rfaulkenberry@robinsongray.com](mailto:rfaulkenberry@robinsongray.com)>

**Subject:** RE: Anderson Estate - Motion for Extension

Agree with these edits. Letter and this can go out.

Ben

**BENJAMIN GOODING** MEMBER

DIRECT 803.231.7821

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**From:** Sarah Frierson <[sfrierson@robinsongray.com](mailto:sfrierson@robinsongray.com)>  
**Sent:** Monday, December 1, 2025 3:04 PM  
**To:** Cynthia D. Nygord <[cnygord@robinsongray.com](mailto:cnygord@robinsongray.com)>; Benjamin Gooding <[bgooding@robinsongray.com](mailto:bgooding@robinsongray.com)>  
**Cc:** Dara Carmichael <[dcarmichael@robinsongray.com](mailto:dcarmichael@robinsongray.com)>; Bill Metzger <[bmetzger@robinsongray.com](mailto:bmetzger@robinsongray.com)>;  
Melissa H. White <[mwhite@robinsongray.com](mailto:mwhite@robinsongray.com)>; Rebecca Faulkenberry  
<[rfaulkenberry@robinsongray.com](mailto:rfaulkenberry@robinsongray.com)>  
**Subject:** RE: Anderson Estate - Motion for Extension

Redlined versions attached. [Proof of Service - Motion for Extension.docx](#)[Motion for First Extension of Time to File Appellants Initial Brief and DOM.docx](#)

**SARAH C. FRIERSON** ASSOCIATE  
DIRECT 803.231.7829  
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---

**From:** Cynthia D. Nygord <[cnygord@robinsongray.com](mailto:cnygord@robinsongray.com)>  
**Sent:** Monday, December 1, 2025 1:23 PM  
**To:** Benjamin Gooding <[bgooding@robinsongray.com](mailto:bgooding@robinsongray.com)>  
**Cc:** Dara Carmichael <[dcarmichael@robinsongray.com](mailto:dcarmichael@robinsongray.com)>; Bill Metzger <[bmetzger@robinsongray.com](mailto:bmetzger@robinsongray.com)>;  
Sarah Frierson <[sfrierson@robinsongray.com](mailto:sfrierson@robinsongray.com)>; Melissa H. White <[mwhite@robinsongray.com](mailto:mwhite@robinsongray.com)>; Rebecca  
Faulkenberry <[rfaulkenberry@robinsongray.com](mailto:rfaulkenberry@robinsongray.com)>  
**Subject:** RE: Anderson Estate - Motion for Extension

Attached is a draft motion for extension and proof of service for the same.

[Motion for First Extension of Time to File Appellants Initial Brief and DOM.docx](#)  
[Proof of Service - Motion for Extension.docx](#)



**CYNDI NYGORD** PARALEGAL  
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**From:** Dara Carmichael <[dcarmichael@robinsongray.com](mailto:dcarmichael@robinsongray.com)>

**Sent:** Monday, December 1, 2025 12:34 PM  
**To:** Benjamin Gooding <[bgooding@robinsongray.com](mailto:bgooding@robinsongray.com)>  
**Cc:** Cynthia D. Nygord <[cnygord@robinsongray.com](mailto:cnygord@robinsongray.com)>  
**Subject:** Anderson Estate draft letter sending filing fee

I've talked with Cyndi and she is going to draft a Motion for Extension.

I've requested the check for the filing fee and attached for review is a draft letter to the COA sending it.

## iManage LLC

**Dara Carmichael** has shared a document with you

[Letter to Court of Appeals with motion for extension filing fee.dotx](#) (239.2 KB)

See attached file, plus link in body

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BENJAMIN R. GOODING

DIRECT 803 231.7821

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December 1, 2025

Via Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29211

Re: The Estate of Herbert Rivers Anderson, Jr. v. Anderson Family Properties of  
Greenwood, LLC  
Appellate Case No.: 2025-001945  
Lower Court Action No.: 2023-CP-24-00800  
RGSL File No.: 8217/1500

Dear Ms. Kitchings:

Please be advised that the transcript in this matter was received on November 3, 2025.

Additionally, Appellant requests an extension of time to submit its Initial Brief and Designation of Matter. A Motion for an extension is submitted contemporaneously with this letter. The applicable filing fee will be delivered to the Court.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Benjamin R. Gooding

BRG:sec

cc: Sarah Timmons, Esquire (via email)  
R. William Metzger, Jr., Esquire (via email)