

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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**RECEIVED**

**Dec 17 2025**

**SC Court of Appeals**

APPEAL FROM Horry COUNTY  
Court of Common Pleas  
Honorable Michael G. Nettles

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Case No. 2024-CP-26-04462  
Appellate Case No. 2025-001152

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Lynn Dilucchio and Kevin Kemper, as  
Co-Administrators C/T/A of the Estate of  
Augusta Kemper.....Appellants,

v.

George C. Zitzelberger..... Respondent.

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**RESPONDENT'S MOTION FOR  
EXTENSION OF TIME TO FILE INITIAL BRIEF**

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Pursuant to Rule 263, SCACR, the Respondent, George C. Zitzelberger, moves this Court for an additional thirty (30) days to file Respondent's Initial Brief and Designation of Matter. Respondent's current deadline is January 5, 2026 and with the additional 30-day extension, Respondent's Initial Brief will be due on February 5, 2026. This Motion is based upon the fact that the Respondent has recently suffered another heart attack, and is not currently physically capable of participating in his defense. This is the first extension requested by the Respondent for filing his Initial Brief. Allowing the extension of time will not prejudice the Appellant, and the Appellant's counsel has

consented to the Respondent's Motion for Extension of Time to file Respondent's Initial Brief and Designation of Matter.

MACDONALD LAW FIRM, PA  
1107 48th Avenue North, Suite 210  
Myrtle Beach, SC 29577  
(843) 449-4493  
[dmacdonald@djmlawfirm.com](mailto:dmacdonald@djmlawfirm.com)  
Attorney for Respondent

*s/ Daniel J. MacDonald, Sr.*

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Daniel J. MacDonald, Sr.  
SC Bar #11986

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Augusta Kemper.....Appellants,

v.

George C. Zitzelberger..... Respondent.

**PROOF OF SERVICE**

I certify that on December 13, 2025, Respondent’s Motion for Extension of Time to File Respondent’s Initial Brief and Designation of Matter was served upon the following party by electronic mail only: Mary M. Caskey, Haynesworth Sinkler Boyd, PA, PO Drawer 11889, Columbia, SC 29211, [mcaskey@hsblawfirm.com](mailto:mcaskey@hsblawfirm.com)

MACDONALD LAW FIRM, PA  
1107 48th Avenue North, Suite 210  
Myrtle Beach, SC 29577  
(843) 449-4493  
[dmacdonald@djmlawfirm.com](mailto:dmacdonald@djmlawfirm.com)  
Attorney for Respondent

s/ Daniel J. MacDonald, Sr.

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Daniel J. MacDonald, Sr.  
SC Bar #11986

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MacDonald Law Firm, P.A.  
Attorney at Law

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DANIEL J. MACDONALD ✦

✦ CERTIFIED MEDIATOR & ARBITRATOR

**Parkway Office Plaza**  
1107 - 48<sup>th</sup> Avenue North, Suite 210  
Myrtle Beach, South Carolina 29577

TELEPHONE: 843.449.4493  
FACSIMILE: 843.497.9599

SENDER'S E-MAIL  
[DMacDonald@DJMLawFirm.com](mailto:DMacDonald@DJMLawFirm.com)

December 13, 2025

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

Jenny Abbott Kitchings  
Clerk of Appellate Court  
PO Box 11629  
Columbia, SC 29211

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**Dec 17 2025**

**SC Court of Appeals**

Re: Lynn Dilucchio and Kevin Kemper, as Co-Administrators C.T.A. of  
the Estate of Augusta Kemper v. George C. Zitzelberger  
Appellate Case No. 2025-001152  
Circuit Court Case No. 2024-CP-26-04462

Dear Madam Kitchings:

This firm represents the Respondent, George C. Zitzelberger, in the above-referenced appeal. We were notified late last week that our client has suffered another heart attack and is currently not capable of participating in his defense. Enclosed for the Court's consideration is the Respondent's Motion for Extension of Time for Respondent' to file his Initial Brief and Designation of Matter to be included in the Record on Appeal, along with a Proof of Service. Our firm's check in the amount of \$50.00 for the Motion filing fee will be sent to the Court this date.

Should you have any questions, please do not hesitate to contact me.

With kindest regards, I remain yours very truly,

MACDONALD LAW FIRM, PA



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Daniel J. MacDonald, Sr.

DJM/sep

cc: Mary M. Caskey, Esquire  
Clients