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Jan 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Vernon F. Dunbar, Circuit Court Judge

Appellate Case No. 2025-001290

Marvin Barborek,.....Respondent,

v.

Cascades Nursing, LLC, and Cascades Retirement, LLC.....Appellants.

**RESPONDENT’S MOTION FOR EXTENSION
TO FILE RESPONDENT’S INITIAL BRIEF
AND
DESIGNATION OF MATTER**

Respondent respectfully requests a 30-day extension to file his Initial Brief and Designation of Matter. This is Respondent’s second request for extension of these deadlines. The request is premised on Winter Storm Fern, on counsel for Respondent being number two on the trial roster in the Greenville County Court of Common Pleas for the week of February 2, 2026, and on ongoing settlement discussions, as well as consent from counsel for the Appellants.

Respondent’s current deadline is February 4, 2026. Our check in the amount of \$50.00 will be mailed to the Court via separate cover.

The undersigned respectfully requests the current deadline be held in abeyance as the Court considers this request. Thank you for your consideration.

WHEREFORE, the undersigned prays for an Order of this Court extending the time for counsel to file Respondent's Initial Brief and Designation of Matter for thirty (30) days.

Respectfully,

s/Mitch Appleby
Mitch Appleby (SC Bar No. 103600)
Mooneyham Berry, LLC
P.O. Box 8359
Greenville, South Carolina 29604
Telephone: 864-421-0036
Fax: 864-421-9060
mitch@mbllc.com

Attorney for Respondent

January 27, 2026

Other Counsel of Record:

R. Hawthorne Barrett (SC Bar No. 16973)
R. Gerald Chambers, Jr. (SC Bar No. 12065)
Turner Padget Graham & Laney, P.A.
P.O. Box 1473
Columbia, SC 29202
(803) 254-2200
TBarrett@TurnerPadget.com
GChambers@TurnerPadget.com

Attorneys for Appellants

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PROOF OF SERVICE

The undersigned attorney of record for Respondent certifies that on January 27, 2026, a copy of Respondent's Motion for Extension to File his Initial Brief and Designation of Matter was served on R. Hawthorne Barrett and R. Gerald Chambers, attorneys for Appellants, via email to the following addresses: TBarrett@TurnerPadget.com and GChambers@TurnerPadget.com.

Respectfully,

s/Mitch Appleby
Mitch Appleby (SC Bar No. 103600)
Mooneyham Berry, LLC
P.O. Box 8359
Greenville, South Carolina 29604
Telephone: 864-421-0036
Fax: 864-421-9060
mitch@mbllc.com

Attorney for Respondent

January 27, 2026