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March 20, 2026

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MAR 24 2026

SC Court of Appeals

VIA EMAIL: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
AND US MAIL

Honorable Jenny Abbott Kitchings  
Clerk of Court, SC Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE: Evaristo Verdugo Morales v. Insulation by Cohen  
Appellate Case No.: 2025-000026**

Dear Ms. Kitchings:

First, please find enclosed my check for \$50.00 for making this request. Our Final Briefs are due in the above-referenced matter this coming Thursday, March 26<sup>th</sup>. The parties agreed to allow defense counsel to prepare the Record and we were to send them records which we did. However, going over the extensive Record and Designation in this matter, we failed to provide some of the records they needed. For example, instead of including all of the APA Submissions filed with our Second Amended APA Submissions, we only send them the added pages to the amended APA submissions. In reference to one of their APA Submissions, they only submitted pages 65-157 but we reference in our Brief pages that were not put in. The same is true for another batch of records where they cut down on the number of records being placed into the Record on Appeal. Finally, they included a deposition transcript that included 14 exhibits and they put in the deposition transcript but they did not put in the exhibits, one of which is referenced in our Brief.

So, I do not believe we are going to be able to get the Supplemental Record prepared by this coming Thursday, and therefore I am going to need an extension to file my Final Briefs.

However, I also need an extension and I would appreciate it if you would talk to the Chief Judge about this, but I am having a cervical spine fusion on Wednesday, March 25<sup>th</sup> in Charleston and know at a minimum I will be out of the office, no work or driving, for a period of two weeks and I may not be back in the office for as long as a period of four weeks. So, I need an extension for that reason in this case, but also I need to know whether or not there is anything else I need to do to gain protection in the event that something time sensitive should

Jenny Abbott Kitchens, Clerk  
March 20, 2026  
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occur while I am out of the office in this or any other case. While I am in hopes that after two weeks I will be pretty much back in the office, except that I will be doing light work for a few weeks, I may have to ask for generous extensions in reference to some of the time-sensitive things that could occur such as filing of a Motion for Reconsideration, respond to a Motion, etc.

As always, I appreciate all the courtesies and kindnesses shown to me by you, your office and the Court and I appreciate the Court's understanding in this situation. By copy of this letter, I am notifying Counsel of Record of this communication and request for extension, which hopefully will not be necessary, but given the time that the final Briefs are due and the notice of this problem with the Record, an extension will probably be needed by us to file our Finals Briefs.

Sincerely yours,



Preston F. McDaniel

PFM/kth  
Enclosure

cc: Don C. Gibson, Esquire (via email only)  
Stephen L. Brown, Esquire (Via email only)  
Robert P. Gruber, Esquire (Via email only)  
Russell G. Hines, Esquire (Via email only)  
Graydon V. Olive, IV, Esquire (Via email only)

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