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Mar 25 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Perry H. Gravely, Circuit Court Judge

James Dustin Lucas.....Appellant,

v.

Andre KnoxRespondent.

Appellate Case No. 2025-001491

**MOTION TO EXCEED INITIAL BRIEF LENGTH LIMITATION AND
MOTION FOR EXTENSION OF TIME TO FILE APPELLANT’S INITIAL BRIEF**

Appellant respectfully moves to exceed the page limit. Appellant is making every effort to keep the contents of the brief within the 50-page limit pursuant to SCACR 208 but, because of the number of exchanges between counsel and the trial court during the trial of this case that must be quoted or paraphrased, Appellant believes the brief may exceed 50 pages. There is also a significant body of case law related to several issues on appeal that must be cited and quoted.

Additionally, Appellant respectfully requests a 10-day extension of time to file his initial brief and designation of matter. In granting the last extension, the Court indicated that another extension would not be granted absent extenuating circumstances. Appellant beseeches the Court to consider that the firm representing Appellant consists of two partners and an associate, who is leaving the firm for a job in Texas this week. The undersigned also argued before the Fourth Circuit Court of Appeals on March 18 and March 19, and had to pause the drafting of the brief in this

appeal in order to properly prepare for oral arguments on back-to-back days. The undersigned spent a significant amount of time over the last two months preparing for these arguments, which arose from two different federal actions. While preparing for those arguments, the undersigned filed initial briefs in two separate state court actions with this Court on March 12, 2026, and is currently finalizing an initial brief, which is due April 9, 2026, in another action.

Appellant believes this will work no prejudice on any party. Respondent's counsel, who is currently on maternity leave, has requested an extension to file her brief until July 30, 2026. Appellant obviously does not oppose that request, as it is appropriate during this exciting time for Respondent's counsel. Since Respondent's brief will likely not be due until July 30, 2026, Appellant does not believe Appellant's requested extension set forth herein will cause any delay with the Court. The undersigned submits that this motion is not being filed for the purposes of delay and asks this Court to consider the unusual extenuating circumstances of Appellant counsel's firm losing its only associate, arguing two cases before the Fourth Circuit Court of Appeals, and submitting initial briefs in four separate cases to this Court within a three-week period. During this time, Appellant's counsel has also continued to litigate cases across South Carolina, arguing 10 motions in four cases between March 13 and March 24.

For the foregoing reasons and the extenuating circumstances stated herein, Appellant respectfully requests a 10-day extension, which would make Appellant's initial brief due on April 9, 2026, and requests permission to exceed the 50-page limit for the initial brief mandated by SCACR 208.

s/Joshua T. Hawkins
Joshua T. Hawkins, S.C. Bar #78470
Helena L. Jedziniak, S.C. Bar #100825
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March 25, 2026
Greenville, South Carolina

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Attorneys for Appellant

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PROOF OF SERVICE

I certify that I have served a copy of the Motion to Exceed Initial Brief Length Limitation and Motion for Extension of Time to File Appellant’s Initial Brief, electronically to the Court of Appeals, at ctappfilings@sccourts.org, and to the following attorneys of record for the Respondent to the following electronic addresses, on this date, March 25, 2026:

Jeanmarie Tankersley
CLAWSON AND STAUBES, LLC
200 E. Broad Street, Suite 405
Greenville, South Carolina 29601
Tel.: (864) 331-8940

Attorney for Respondent

CC:
The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

s/Joshua Hawkins

Joshua T. Hawkins, S.C. Bar #78470

Helena L. Jedziniak, S.C. Bar #100825

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March 25, 2026

-via electronic mail to: ctappfilings@sccourts.org
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: James Dustin Lucas v. Andre Knox
Appellate Case No.: 2025-001491

To whom it may concern:

Please see the enclosed filing fee for the Motion to Exceed Initial Brief Length Limitation and Motion for Extension of Time to File Appellant's Initial Brief, filed with this Court today, March 25, 2026, in the above matter.

Should you have any questions, concerns, or need anything further, please do not hesitate to contact our office.

Sincerely,

Candie Edwards
Senior Litigation Paralegal

Enclosures