

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, III, Special Circuit Court Judge

Case No. 2013-002362

Ingris Janet Calcagno,

v.

Richard T. Wynn,

Respondent,

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DEC 09 2013

Appellant.

SC Court of Appeals

RESPONDENT'S REPLY TO APPELLANT'S MOTION
FOR EXTENSION OF TIME

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

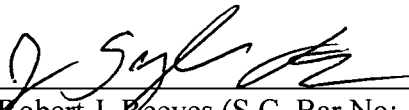
Respondent, Ingris Janet Calcagno, by and through her undersigned counsel and, pursuant to Rule 240 of the South Carolina Appellate Court Rules, would respectfully move that this Court deny Appellant's Motion for an Extension of Time to File Initial Brief. Rule 263 of the South Carolina Appellate Court Rules allows the Court to extend time in its discretion. However, Respondent would argue that Appellant's failure to retain counsel in a reasonable amount of time is an inappropriate reason for this Court to enlarge the time prescribed. According to Appellant's Motion, Appellant waited until November 19, 2013 to retain counsel, when Rule 208 would have required the initial brief be filed November 20, 2013. Additionally, Appellant failed to timely remedy the deficiencies noted in the Clerk of Court's November 07,

2013 letter to Appellant, including failure to submit filing fee, Proof of Service, or, a copy of the challenged Judgment.

Respondent would note that undersigned counsel only received service of Appellant's Motion For Extension of Time on November 26, 2013, via email, as Appellant's service by U.S. mail failed.

Respondent respectfully asks this Court to deny Appellant's Motion for an Extension of Time to File Initial Brief for the above cited reasons.

Respectfully submitted,



Robert J. Reeves (S.C. Bar No: 12906)
Reeves, Aiken & Hightower, LLP
1012 Market Street, Suite 205
Post Office Box 1297 (29716)
Fort Mill, South Carolina, 29708
Phone: (803) 554-4157
ATTORNEY FOR THE PLAINTIFF

This 4th day of December, 2013
Fort Mill, South Carolina

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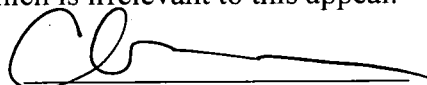
SC Court of Appeals

PROOF OF SERVICE

I, Christina Grundner, certify that I have served Respondent's Reply to Appellant's Motion for Extension of Time by depositing a copy of same in the United States mail, postage prepaid, addressed :

Mr. Stephen M. Cox
Robinson Bradshaw & Hinson
140 East Main Street, Suite 420
Rock Hill, SC 29730

I certify that this designation contains no matter which is irrelevant to this appeal.



Christina Grundner, Paralegal
Reeves, Aiken & Hightower, LLP
1012 Market Street, Suite 205
Post Office Box 1297 (29716)
Fort Mill, South Carolina, 29708

This 4th day of December, 2013
Fort Mill, South Carolina

ROBERT J. REEVES +***

ARTHUR K. AIKEN +**

A. BEA HIGHTOWER +

J. TYLER BURNS +



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December 4, 2013

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

RE: Ingris Janet Calcagno v. Richard T. Wynn
Case Number: 2013-002362

Dear Ms. Kitchings:

Enclosed for filing, please find the original and three (3) copies of Respondent's Reply to Appellant's Motion for Extension of Time to File Initial Brief along with the Proof of Service, in the above-referenced matter. We would greatly appreciate your returning the clocked copies in the envelope provided.

By copy of this letter, please be advised that I am serving a copy of Respondent's Reply on all counsel of record.

If you have any questions, please feel free to contact me directly at (803) 548-7943.

With kind regards, I am

Sincerely,

Chris Grundner
Paralegal to Robert J. Reeves

/cmg

Enclosures

cc: Stephen M. Cox, Esquire (with enclosures)

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