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Apr 17 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Trial Court Case No. 2017CP4202374

Appellate Case No. 2025-002050

Richard Lewis and Walter
Lewis,
Respondents/Appellants

v.

Robert M. Errato, Quinnipiac Associate
Inc. and Upwards Builders, Inc.,
Defendants

of which Robert M. Errato is the
Appellant/Respondent

**MOTION FOR EXTENSION OF TIME FOR APPELLANT TO SERVE AND FILE
AMENDED INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Pursuant to Rule 240 SCACR, Appellant Robert Errato (“Errato”) requests an extension of time within which to file his amended initial brief and the designation of matter to be included in the record on appeal. This is the second request by Errato filed in this matter.

On October 7, 2025, Errato filed the instant appeal, No. 2025-002050, against the Respondents/Appellants, Richard and Walter Lewis. On January 12, 2026, Errato filed his

initial brief in this case, along with the Designation of Matter to be Included in the Record on Appeal.

In the meantime, on December 2, 2025, Respondents/Appellants filed their own notice of appeal, No. 25-002400, on a different matter within the case.

On January 21, 2026, the Court consolidated these two appellate cases for consideration by this Court.

Although Errato moved to dismiss this second appeal by Respondents/Appellants as untimely, the Court denied the Motion to Dismiss on April 1, 2026. Within the order from the Court denying the motion to dismiss, the Court stated the following: “Appellant/Respondent shall serve and file Appellant’s Initial Brief and Designation of Matter within twenty days of the date of this order.”

At that time, Errato was confused by the Order from the Court, as he had already filed both of these documents on January 12, 2026. Errato filed a Motion for Clarification on April 2, 2026, following by a letter request on April 13, 2026, seeking clarification from the Court on what, exactly, he was ordered to file by April 21, 2026. On April 17, 2026, the Court responded that Errato could amend his initial brief, addressing all of the issues now pending in this case.

Now that Errato understands the Order, he would like to amend his initial brief, but he requires more than five days to do so. Errato asks for a small extension of time until May 4, 2026, to file his Amended Brief and Amended Designation of Matter. Good cause exists for the granting of this motion, considering Errato is representing himself pro se, was confused by the Court’s Order, and sought clarification. Now that such clarification has been provided, Errato needs additional time to comply with Court’s Order.

For the foregoing reasons, Robert Errato requests an extension of time to file his amended initial brief and designation of matter until May 4, 2026. Good cause exists for the granting of this motion.

April 17, 2026

s/ Robert M. Errato
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of which Robert M. Errato is the
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PROOF OF SERVICE

I certify that I have served the MOTION FOR EXTENSION OF TIME TO FILE THE AMENDED BRIEF on RICHARD LEWIS, et al by depositing a copy by e-mail, on April 17, 2026, to the attorney of record, JASON M. IMHOFF, 37 VILLA RD STE, 420 GREENVILLE, SC 29615 e-mailto:Jason@imhoff-law.com.

April 17, 2026

s/ Robert M. Errato
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