

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM GREENWOOD COUNTY COURT OF COMMON PLEAS

HONORABLE ROY R. HEMPHILL

C. A. NO. 2023-CP-24-00287

Brian C. Holtzclaw.....Appellant

vs.

Jeffery K. Gillian and Marshall Casey Pfeiffer ..... Respondent

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**Motion to File Initial Brief and  
Designation of Record out of Time**

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Now comes the Appellant, by and through his undersigned attorney, and moves this Court to allow Appellant to file and serve his initial brief and designation of record out of time.

Appellant timely filed his Notice of Appeal and timely requested the transcript of the hearing before the Special Referee. The Special Referee’s office advised that the arguments for Summary Judgment, which was heard by Zoom, were not recorded, so there was no transcript to be made.

Appellant was unsure as to the calculation of time for filing his initial brief and designation of record. Upon notice, he filed this Motion, Initial Brief, and Designation of Record.

Wherefore, Appellant requests that he be allowed to file his Initial Brief and Designation of Record out of time.

*O W Bannister*

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April 23, 2026  
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