

70344

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Joseph W. Hudgens, Special Referee

Common Pleas Case No.: 2012-CP-36-103
Appellate Case No. 2013-002181

EverBank,.....Respondent,

v.

Lenora Scurry, Patrick Scurry, The South Carolina
Department of Revenue, Defendants,

Of Whom Lenora Scurry and Patrick Scurry are.....Appellants.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANTS' INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellants

RECEIVED

NOV 12 2013

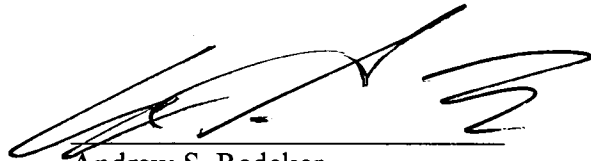
SC Court of Appeals

Appellants hereby move pursuant to Rule 263(b), SCACR, for a 30-day extension of the time in which to serve and file Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. This is the first extension that Appellants have sought in this appeal.
2. This appeal is already further along than most appeals would be at its age. Because Appellants' counsel already had a copy of the transcript of the proceedings below when the notice of appeal was served on October 10, 2013, the present deadline for service and filing of Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal is November 12, 2013 (as November 9 is a Saturday and today, Monday, November 11, is Veterans' Day).
3. Also, Appellants' undersigned counsel was in a four-day trial last week, presently has another jury trial set for next week, and has not had time to draft Appellants' brief.
4. Appellant's counsel believes there is good cause to grant the requested 30-day extension to December 12, 2013.

WHEREFORE Appellant prays for an Order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal for an additional thirty days.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', written over a horizontal line.

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellants

November 11, 2013

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Joseph W. Hudgens, Special Referee

Common Pleas Case No.: 2012-CP-36-103
Appellate Case No. 2013-002181

EverBank, Respondent,

v.

Lenora Scurry, Patrick Scurry, The South Carolina
Department of Revenue, Defendants,

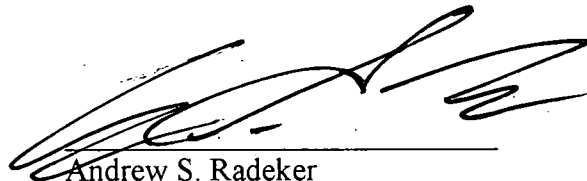
Of Whom Lenora Scurry and Patrick Scurry are Appellants.

PROOF OF SERVICE

I certify that I served the foregoing motion for extension by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

William P. Stork, Esq.
Weston Adams Law Firm
P.O. Box 291
Columbia, SC 29202

November 11, 2013



Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellants

RECEIVED

NOV 12 2013

SC Court of Appeals

LAW OFFICES
HARRISON & RADEKER, P.A.
923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

James C. Harrison, Jr.*
Andrew S. Radeker
F. Casey D. Cornwell
* Mediator/Arbitrator

P.O. Box 50143
Columbia, SC 29250
(803) 779-2211
(803) 779-6700 (FAX)

November 11, 2013

VIA HAND DELIVERY ON NOV. 12, 2013

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

Re: **EverBank v. Lenora Scurry, et al.**
Common Pleas Case No.: 2012-CP-36-103
Appellate Case No. 2013-002181

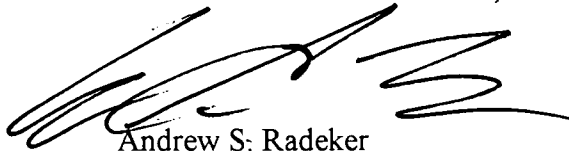
Dear Ms. Kitchings:

Enclosed herewith for filing an original and seven copies of a motion for extension of time in the above-referenced case, along with proof of service of the same.

Kindly file these documents and return a file-stamped copy thereof to the bearer of this letter. The motion fee of \$25.00 accompanies this letter. Thank you for your attention to this matter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: William P. Stork, Esq.

RECEIVED

NOV 12 2013

SC Court of Appeals