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May 25, 2012

**VIA HAND DELIVERY**

The Honorable Tanya A. Gee  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

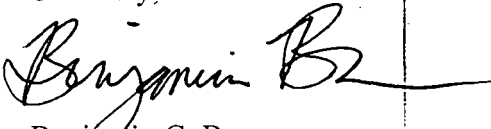
**Re: *K. Wayne Kirby d/b/a Carolina Gold Bingo, Appellant vs. Boykin Contracting, Inc., Respondent***  
**Richland County C/A No.: 2009-CP-40-00179**  
**Case Tracking No.: 2012209067**  
**BPWM File No.: 7-1929.100**

Dear Ms. Gee:

Please allow this letter to serve as our request, on behalf of the Appellant in the above-referenced case, for a thirty-day extension until June 29, 2012, to file our initial brief in this appeal. We received the trial transcript from the court reporter on April 30, 2012. When I consulted opposing counsel this afternoon, he consented to this request.

Enclosed with this letter are a check in the amount of twenty-five dollars and a proof of service on opposing counsel. Thank you for your kind assistance. If you have any questions or need anything further from my office, please do not hesitate to call.

Sincerely,

  
Benjamin C. Bruner

BCB/gh

/Enclosures

cc: Charles H. McDonald, Esquire (via U.S. Mail and e-mail w/ enclosures)  
Mr. Wayne Kirby (via U.S. Mail w/ enclosures)

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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE RICHLAND COUNTY  
Court Of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

CIVIL ACTION NO.: 2009-CP-40-0179

K. Wayne Kirby d/b/a Carolina Gold Bingo, .....Appellant,

vs.

Boykin Contracting, Inc., .....Respondent.

PROOF OF SERVICE

I, Nancy Y. Stagg, a Legal Assistant at Bruner, Powell, Wall & Mullins, LLC, attorneys for the Appellant, K. Wayne Kirby, do hereby certify that on the 25<sup>th</sup> day of May, 2012, I served the *First Time Extension Request for Initial Brief* upon opposing counsel by depositing copy of the same in the U.S. Mail, postage prepaid, and addressed as follows:

Charles H. McDonald, Esquire  
Robinson, McFadden & Moore, PC  
1901 Main Street, Suite 1200  
Columbia, SC 29202  
*Attorneys for Respondent Boykin Contracting, Inc.*

Nancy Y. Stagg  
Nancy Y. Stagg