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October 9, 2026

VIA ELECTRONIC MAIL AND U.S. FIRST CLASS MAIL

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

RECEIVED
Oct 12 2026
SC Court of Appeals

Re: Paul Thomas Capo, Jr. v. Active Day, Inc.
Appellate Case No. 2026-001533
First Request for Extension of Time to Serve and File Initial Brief and Designation of Matter

Dear Ms. Kitchings:

I write on behalf of Appellant Active Day, Inc. By letter dated September 25, 2026, the Court acknowledged Appellant's confirmation of receipt of the transcript and directed that Appellant's initial brief and Designation of Matter be served and filed within thirty (30) days of the date of that letter. Thirty days from September 25, 2026 falls on Sunday, October 25, 2026, so Appellant's initial brief and Designation of Matter are currently due Monday, October 26, 2026.

Appellant respectfully requests a thirty (30) day extension of that deadline, through and including Wednesday, November 25, 2026. The extension is needed due to unavoidable deadlines in other matters pending before the circuit courts and this Court, and would give counsel adequate time to fully brief the issues arising from the circuit court's denial of Appellant's motion to compel arbitration for the Court's review. This is Appellant's first request for an extension of the briefing deadline.

The fifty dollar ($50.00) filing fee is enclosed with the mailed copy of this letter.

All counsel of record are copied on this correspondence. Should the Court have any questions or require anything further, please do not hesitate to contact me directly.

Very truly yours,
s/ Tyler A. Adams
Tyler A. Adams (SC Bar No. 107842)

TAA/nn

cc: All counsel of record (via email)