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JAN 13 2014
SC Court of Appeals

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

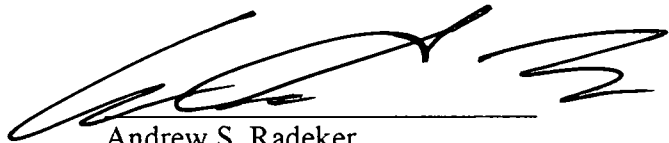
Appellants hereby move pursuant to Rule 263(b), SCACR, for a four-day extension of the time in which to serve and file Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested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

1. This is the third extension that Appellants have sought in this appeal. Appellants do not plan to seek another and did not previously plan to make this motions
2. The present deadline for service and filing of Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal is today, January 13, 2014.
3. After this deadline was set, the undersigned was engaged to represent parties in a case before the United States District Court for the District of South Carolina.
4. Writing intensive deadlines in that case also run today, and the undersigned has been working on writing those documents for most of the day and the preceding weekend.
5. Appellants' counsel had originally planned on meeting both the deadlines in this appeal and those in the federal case on or before today, but it appears increasingly unlikely that he will be able to do so, even though he will still attempt to get Appellant's brief finished today if possible – he just does not believe that he will be able to do so.

6. Accordingly, the undersigned asked counsel for the Respondent if he would consent to a short extension of time – four days, just to be safe – of Appellants’ time to serve and file their initial brief and designation.
7. Respondent’s counsel consents to the extension sought, as noted in the email message attached hereto.
8. Appellants’ counsel believes there is good cause to grant the requested four-day extension to January 17, 2014.

WHEREFORE Appellants pray for an Order extending the time in which to serve and file Appellants’ Initial Brief and Designation of Matter to be Included in the Record on Appeal for an additional four days, to January 17, 2014.

Respectfully submitted,



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

January 13, 2014

RE: Everbank v. Scurry

Charlie Gwynne <CHARLIE.GWYNNE@rtt-law.com>

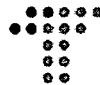
Mon 1/13/2014 12:41 PM

To: Drew Radeker <Drew@harrisonfirm.com>;

Drew,

Sure, no problem. An extension through Friday is fine with me.

Charlie



ROGERS TOWNSEND
ATTORNEYS AT LAW

Charlie Gwynne
Shareholder

Rogers Townsend & Thomas, PC
220 Executive Center Dr.
Columbia, SC 29210

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From: Drew Radeker [mailto:Drew@harrisonfirm.com]

Sent: Monday, January 13, 2014 12:39 PM

To: Charlie Gwynne

Subject: Everbank v. Scurry

Charlie:

I have some other deadlines to meet today in a federal case and am concerned that I may not get the brief finished today, though I am going to try. Would you mind consenting to a very brief extension, through Friday, of my deadline for the brief and designation?

I would greatly appreciate it. Thank you.

Drew Radeker

HARRISON & RADEKER, P.A.
ATTORNEYS AT LAW

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NOTICES

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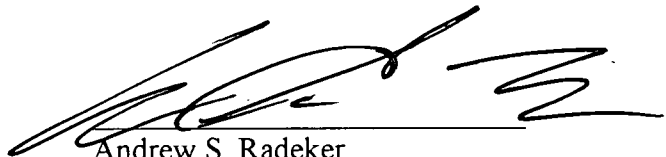
PROOF OF SERVICE

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

Charles S. Gwynne, Jr., Esq.
Rogers Townsend & Thomas, PC
P.O. Box 100200
Columbia, SC 29202

January 13, 2014



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(803) 779-2211
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LAW OFFICES
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923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

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

January 13, 2014

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SC Court of Appeals
P.O. Box 10143
Columbia, SC 29201
(803) 779-2211
(803) 779-6700 (FAX)

VIA HAND DELIVERY

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.
Charles S. Gwynne, Jr., Esq.