

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM MCCORMICK COUNTY
Court of Common Pleas

Judge Frank Addy, Jr, Circuit Court Judge

Case No. 2013-002236

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FEB 03 2014

SC Court of Appeals

Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenwood District of the African Methodist Episcopal (A.M.E.) Church,.....Appellant-Respondent,

v.

Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison,Respondents-Appellants.

MOTION FOR EXTENSION OF TIME IN WHICH TO FILE THE INITIAL BRIEF AND DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL APPELLANT-RESPONDENT

Appellant-Respondent, by and through his undersigned counsel of record, hereby moves this Honorable Court for an extension of time in which to file the Initial Brief of Appellant-Respondent and Designation of Matter to be Included in the Record on Appeal for the following reasons: This appeal involves two hearings with two court reporters. The first hearing was held on May 22, 2013, involving cross-motions for summary judgment. A second hearing involving another court reporter was held on September 5, 2013, wherein the Appellant-Respondent made a Motion To Take Deposition Pending Appeal and a Motion To Alter or Amend the Judgment

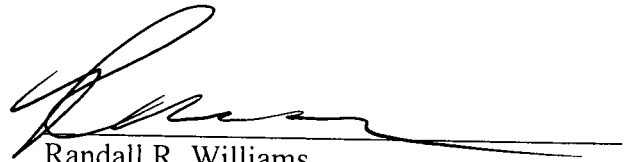
My office filed a Notice Of Appeal on October 16, 2013. Both court reporters were notified that Appellant-Respondent wanted a copy of the transcript of the respective hearings by correspondence dated October 17, 2013. By correspondence dated October 31, 2013 the Clerk of the South Carolina Court of Appeals advised my office, unless otherwise agreed, the entire transcripts must be requested. Subsequently, my office notified both court reporters by correspondence dated November 5, 2013 that the Appellant-Respondent requests the transcript of the entire hearing. By electronic mail dated December 3, 2013 the second court reporter in the hearing dated September 5, 2013 advised that she would require advance payment before transcription of the hearing. Advance payment for transcription of the hearing dated September 5, 2013 was received on December 16, 2013 by the court reporter as per her email on January 21, 2014.

The Appellant-Respondent received a copy of the transcripts from the first court reporter regarding the hearing of May 22, 2013 on January 13, 2014. Accordingly, the Initial Brief and Designation of Matter to be included in the Record on Appeal are due on February 12, 2014.

The second court reporter regarding the hearing of September 5, 2013, advised by electronic mail dated January 24, 2014 that her due date to provide the transcripts of the hearing, did not begin to run until December 16, 2013 and therefore the due date would be 60 days from receipt of payment which is February 14, 2014. Accordingly, the Appellant-Respondent requests an extension of time to file his Initial Brief and Designation of Matter To Be Included in The Record On Appeal so that the undersigned can fully review the September 5, 2013 transcripts with the Appellant-Respondent and prepare fully before filing the Initial Brief and Designation of Matters to be included in the Record on Appeal.

This request is made in good faith, is not meant for the purpose of delay and is the first request for an extension.

Therefore, the Appellant-Respondent, by and through his undersigned counsel of record, respectfully requests an extension of time to file the Initial Brief of Appellant-Respondent and Designation of Matter to be Included in Record on Appeal, to begin to run 30 days from receipt of the transcripts of the hearing dated September 5, 2013.



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Greenwood, South Carolina
January 30, 2014

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Frank R. Addy, Jr., Circuit Court Judge

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Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenwood District of the
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v.

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.....Respondents-Appellants

PROOF OF SERVICE

I certify that I have served the Motion For Extension of Time to File the Initial Brief and Designation of Matters on Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison by depositing a copy of it in the United States Mail, postage prepaid, on January 30, 2014, addressed to their attorney of record, Marvin Watson at 333 Main Street, P.O. Box 799, Greenwood, South Carolina, 29648.

January 30, 2014



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