

STATE OF SOUTH CAROLINA
IN THE
SUPREME COURT

Appeal from the Court of Common Pleas
For Georgetown County
Honorable John M. Milling, Circuit Judge
Civil Action No.: 2006-CP-22-0914
South Carolina Court of Appeals
392 S.C. 160, 708 S.E.2d 218 (Ct.App. 2011)

AJG Holdings, LLC; Stalvey Holdings, LLC;
David Croyle; Linda Croyle; Jean C. Abbott;
Linda T. Courtney; Sumter L. Langston; Diane
Langston; Carl B. Singleton, Jr.; Virginia M.
Owens, and Stoney Harrelson,

Respondents,

v.

Levon Dunn; Pamela S. Dunn; and
Helen Sasser,

Petitioners.

MOTION FOR EXTENSION OF TIME (3rd) TO FILE
BRIEF ON CERTIORARI AND APPENDIX

RECEIVED

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S.C. SUPREME COURT

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*Attorneys for the Petitioners,
Levon Dunn, Pamela S. Dunn,
and Helen Sasser*

TO: THE HONORABLE JUSTICES OF THE SOUTH CAROLINA SUPREME COURT:

COMES NOW the Petitioners, Levon Dunn, Pamela S. Dunn, and Helen Sasser¹, pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Supreme Court to grant them an additional thirty-day (30) extension of time in which to file their Brief on Certiorari and the additional copies of the Appendix in this matter.

The basis for this motion is the undersigned counsel's present involvement in a number of other appellate and trial matters at this time. More importantly, as this Supreme Court has been previously advised, one of the Petitioners – Helen Sasser – passed away on 13 January 2014 (just before certiorari was granted herein) and her Estate will need to be substituted as the applicable party by motion. The Personal Representatives have been in consultation with the Estate's attorney regarding further participation in this appeal and a decision concerning such involvement has not yet been reached. The participation decision, whichever way it is made, potentially may have an impact on the manner and approach taken in this appeal by the remaining parties, as well as have an impact on the appellate caption.

Based upon the undersigned's information, the Petitioners' Brief on Certiorari and the additional copies of the Appendix are currently due on or before Friday, 25 April 2014. Consequently, anticipating this Supreme Court's

¹ As this Supreme Court is aware, Mrs. Sasser passed away earlier this year. It is anticipate that her Estate will be substituted for in her stead as a Petitioner. Such substitution will necessarily cause a change in the appellate caption. Petitioners' counsel and the Respondents' counsel have discussed this situation and agree some party substitution will have to be made.

favorable reception to and subsequent grant of this additional extension motion, the Petitioners' Brief on Certiorari and the additional copies of the Appendix would then be due on or before Tuesday, 27 May 2014 (the 30th day falls on Sunday, 25 May 2014, and the next day, 26 Monday 2014, is Memorial Day).

Finally, the Petitioners' respectfully request this Supreme Court to hold the briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC

By: 

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Charleston, South Carolina

23 April 2014

NPCHAR1:1296306.1-MO-(SPG) 039489-00001

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**PROOF OF SERVICE for the
MOTION FOR EXTENSION OF TIME (3rd) TO FILE
BRIEF ON CERTIORARI AND APPENDIX**

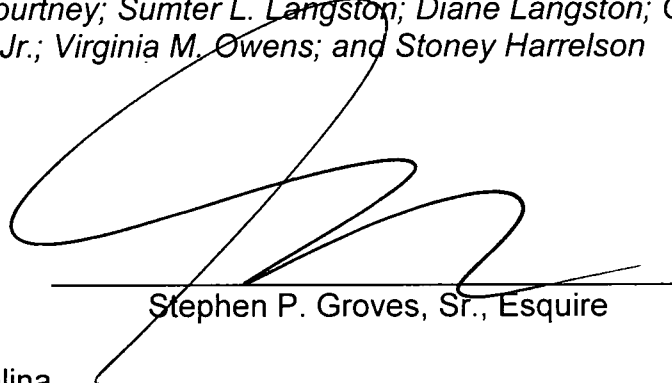
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Levon Dunn, Pamela S. Dunn,
and Helen Sasser*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 23 April 2014, I served one copy of the **Motion for Extension of Time (3rd) in Which to File Brief on Certiorari and Appendix** submitted by the Petitioners, Levon Dunn, Pamela S. Dunn, and Helen Sasser, on counsel for the Respondents via the United States Mail, postage pre-paid, and addressed as follows:

Jack M. Scoville, Jr., Esquire
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*Attorney for the Respondents,
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Stephen P. Groves, Sr., Esquire

Charleston, South Carolina
23 April 2014

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