

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No.: 2013-001347

RECEIVED

APR 10 2014

SC Court of Appeals

71840

Christopher Drye, d/b/a Drye's Auto Crushing.....Respondent,

vs.

Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total, Inc., Edward Keith Potter,
Individually and as President of Total, Inc.....Defendants.

Of Whom Mike Gault is.....Appellant.

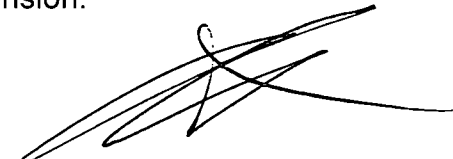
**MOTION FOR SUBSTITUTION OF COUNSEL AND
FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION
OF MATTER TO BE INCLUDED ON APPEAL**

Respondent, Christopher Drye, d/b/a Drye's Auto Crushing, has been represented by Wade S. Weatherford, III throughout all matters associated with this case including trial and this pending appeal. Wade S. Weatherford, III, a long standing member of the South Carolina Bar passed away suddenly and unexpectedly on Monday, March 31, 2014.

Respondent has retained the services of undersigned counsel to represent him in this matter. Therefore, Respondent moves that William G. Rhoden be substituted as counsel of record in this pending appeal.

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Respondent would further move for an additional thirty (30) day extension of time to file his Initial Brief and Designation of Matter to be Included on Appeal to allow new counsel time to obtain the Respondent's file and review this matter. Counsel believes this is Respondent's second request for an extension, however, the extraordinary circumstances justify this additional extension.



William G. Rhoden
WINTER & RHODEN, LLC
Attorneys at Law
221 E. Floyd Baker Blvd.
Gaffney, South Carolina 29340
TEL: (864) 489-8128
FAX: (864) 489-8806

Attorney for Respondent

Gaffney, South Carolina
April 7, 2014.

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and as President of Total, Inc.....Defendants.

Of Whom Mike Gault isAppellant.

CERTIFICATE OF SERVICE BY MAIL

I certify that I have served the **Motion for Substitution of Counsel and For Extension of Time to File Initial Brief and Designation of Matter to be Included on Appeal** on Appellant by depositing a copy of it in the United States Mail, postage prepaid, on April 7, 2014 as follows:

D. Alan Lazenby
Lazenby Law Firm, LLC
Post Office Box 6099
Spartanburg, South Carolina 29304


William G. Rhoden
WINTER & RHODEN, LLC
221 E. Floyd Baker Blvd.
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TEL: (864) 489-8128
FAX: (864) 489-8806

Attorney for Respondent

Gaffney, South Carolina
April 7, 2014.

LAW OFFICE OF
WINTER & RHODEN, LLC

WILLIAM G. RHODEN
ATTORNEY AT LAW
ANNA-KARINA PARKER
ATTORNEY AT LAW

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PHONE (864) 489-8128
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WILLIAM E. WINTER
(1944 - 2008)

April 7, 2014

Jenny Abbott Kitchings, Clerk
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Christopher Drye, d/b/a Drye's Auto Crushing vs. Mike Gault, et al
2013-001347

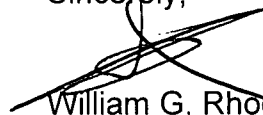
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of my Motion to Substitute Counsel and for an Extension of Time to file Respondent's Initial Brief and Designation of Matter to be included on appeal. Also, find an original and copy of a Certificate of Service on opposing counsel. Also, enclosed is the filing fee of \$25.00.

It would be greatly appreciated if you will file the originals and return a copy in the envelope provided.

With best regards, I am,

Sincerely,



William G. Rhoden

WGR/dpf

cc: file

D. Alan Lazenby, Esquire (w/enclosures)
enclosures:

RECEIVED

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SC Court of Appeals