

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

72120

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2014-000175  
Circuit Case No. 2012-CP-10-1332

BETTY FISHER, as Real Representative  
for Alice Shaw-Baker.....Appellant

v.

Bessie Huckabee, Kay Passailague Slade,  
Sandra Byrd, and Peter Kouten, and Does 1 through 100, Defendants

Of whom Bessie Huckabee, Kay Passailague Slade, Sandra Byrd,  
and Peter Kouten .....Respondents

**APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD**

JOHN HUGHES COOPER, ESQUIRE  
1476 Ben Sawyer Blvd. Ste. 7  
Mount Pleasant, SC 29464  
shiplaw@jhcooper.com  
843-883-9099; fax 843-883-9335

and  
LISA FISHER, ESQUIRE  
*Pro Hac Vice*  
c/o JOHN HUGHES COOPER, P.C.  
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Mount Pleasant, SC 29464  
843-883-9099; fax 843-883-9335  
(Attorney for Appellant)

**RECEIVED**

MAY 07 2014

**SC Court of Appeals**

*2nd*

COMES NOW Local Counsel John Hughes Cooper, Esquire, for Appellant Betty Fisher, as Real Representative for Alice Shaw Baker, and Pro Hac Vice Lisa Fisher, Esquire, and respectfully moves for a 15 day extension of time to file their Initial Appellant Brief and Designation of Matter as allowed under Rule 263(b) of the South Carolina Appellate Rules.<sup>1</sup>

This is Appellant's second extension request, and it is needed based on the work schedules of counsel and family commitments. Counsel was ill for an extended period of time, which delayed attention to numerous deadlines, which have statutory priority. This coupled with family commitments have interfered with proper completion of this brief.

Counsel believes that the Initial Brief and Designation of Matters will be finalized within the 15 day period. The new date for filing of the brief would be May 22, 2014.

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<sup>1</sup> Rule 263 (b) provides as follows:  
**“Extending and Diminishing Time Prescribed by These Rules.** The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rules 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof. The time prescribed by these Rules for performing any act or taking any action may not be extended by agreement of the parties.”

THEREFORE, Movant prays for an Order of this Court permitting an extension of time to file their Initial Appellant Brief and Designation of Matter until May 22, 2014.

May 5, 2014

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By:   
JOHN HUGHES COOPER, ESQUIRE

Federal Court ID 298

South Carolina Bar 1387

State Bar of Georgia 185986

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ATTORNEYS FOR APPELLANT

Other Counsel of Record:

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Charleston, SC 29401

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APPEAL FROM CHARLESTON COUNTY  
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Sandra Byrd, and Peter Kouten, and Does 1 through 100, Defendants

Of whom Bessie Huckabee, Kay Passailague Slade, Sandra Byrd,  
and Peter Kouten .....Respondents

PROOF OF SERVICE

I certify that I have served the **APPELLANT'S MOTION FOR EXTENSION  
OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD** on the following counsel and parties by  
depositing a copy of it in the United States Mail, postage prepaid, on May 6, 2014,  
addressed as follows:

//

W. Westbrook Wills III, Esquire  
38 Broad Street Ste. 200  
Charleston, SC 29401

(Attorney for Bessie Huckabee, Kay  
Passailague Slade,  
Sandra Byrd)

Peter A. Kouten, Esquire  
Kouten Law Firm, LLC  
P.O. Box 340  
John's Island, SC 29457

(Attorney Pro Se and Attorney for Bessie Huckabee, Kay Passailague Slade,  
Sandra Byrd)

May 6, 2014

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By: 

JOHN HUGHES COOPER, ESQUIRE

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May 6, 2014

Hon. Jenny A. Kitchings, Clerk  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Betty Fisher, as Real Representative for Alice Shaw-Baker, Appellant v. Bessie Huckabee, Kay Passailague Slade, Sandra Byrd, and Peter Kouten, Respondents, Appellate Case No. 2014-000175

Dear Ms. Kitchings:

Enclosed for filing please find the original and six copies of Appellant's Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record, and Proof of Service, with a check for the \$25.00 Motion Fee.

Also enclosed please find a copy of our filing for date stamping and return to us in the enclosed envelope.

Thank you for your assistance with this matter.

Best regards.

Very truly yours,  
  
John Hughes Cooper

Enclosures: as stated

Cc: W. Westbrook Wills III, Esquire  
Peter A. Kouten, Esquire

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**SC Court of Appeals**

WE COVER THE WATERFRONT

