

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

172230

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

RECEIVED

MAY 19 2014

G. Thomas Cooper, Jr., Circuit Court Judge

SC Court of Appeals

Case Number: 2013-CP-40-01469

Hugh Allen Hoover..... Appellant

v.

L.A. Blue and Kem Dempsey..... Respondent

**MOTION TO FILE MOTION FOR EXTENSION OUT OF TIME**

Appellant Hugh Allen Hoover, by and through his undersigned counsel of record, respectfully submits to this Court a Motion to File Motion for Extension of time out of time in regard to the Motion for Extension of time in which to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record, which he submitted to this Court on May 6, 2014.

In support of his motion Appellant states the following:

1. Appellants received the transcript of the above matter from the Court Reporter on or about March 25, 2014, and subsequently on May 6, 2014 moved out of time this Court for a thirty (30) day extension of time within which to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal, as said Motion For Extension to file the Initial Brief and Designation of Matter to be Included in the Record

on Appeal would have been due to be filed with this Court on April 25, 2014 or shortly thereafter.

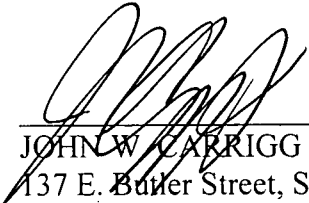
2. The undersigned counsel apologizes to the Court for not timely filing this Motion for Extension of Time to File Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. Specifically, the undersigned counsel notes by way of explanation that the due date for the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal was inadvertently improperly calendared by counsel's office, the undersigned counsel requests the understanding and consideration of the Court and respectfully requests this Court to grant the Appellant's Motion to File Motion for Extension out of time.

2. The further basis for this request is that as soon as the calendar error was discovered by Appellant's counsel, Appellant's counsel immediately filed their Motion for Extension, seeking additional time to complete Appellants' Initial Brief and Designation of Matter, and as a result, there was no significant delay in Appellant's filing their Motion for Extension to file his Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal, and the Attorney for Respondents has not objected to Appellant's Motion for Extension to file his Initial Brief and Designation of Matter to be Included in the Record on Appeal as untimely filed.

WHEREFORE, the Appellants respectfully request that they be granted their requested Motion to file Motion for Extension out of time.

5/14, 2014

(Signature on last page)



---

JOHN W. CARRIGG JR.  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072  
Telephone: (803) 785-5511  
Attorney for Appellant

Other Counsel of Record:  
Stephanie R. Fajardo, Esquire  
The Finney Law Firm, Inc.  
2117 Park Street  
Columbia, S.C. 29201  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

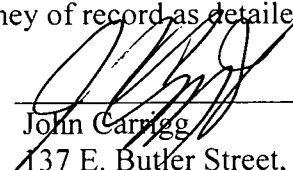
Case Number: 2014-CP-40-01469

Hugh Allen Hoover..... Appellant  
v.  
L.A. Blue and Kem Dempsey..... Respondents

PROOF OF SERVICE

I certify that I have served the Motion to File Motion for Extension Out of Time on the above-listed Respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 16, 2014, addressed to Respondent's attorney of record as detailed below.

May 16, 2014

  
John Carrigg  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072  
(803) 785-5511  
Attorney for Appellant

Other Counsel of Record:

Stephanie R. Farjardo, Esquire  
The Finney Law Firm, Inc.  
2117 Park Street  
Columbia, S.C. 29201  
Attorney for Respondents

**RECEIVED**  
MAY 19 2014  
SC Court of Appeals

# JOHN CARRIGG

ATTORNEY AT LAW

PHONE: (803) 785-5511

137 E. BUTLER STREET, SUITE 6  
LEXINGTON, SOUTH CAROLINA 29072

FAX: (803) 785-5513

JCARRIGG@CARRIGGLAW.COM

May 16, 2014

The Honorable Jenny A. Kitchings, Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Hugh Allen Hoover vs. L.A. Blue and Kem Dempsey  
Civil Action No.: 2013-CP-40-01469  
Court of Appeals Tracking No.: 2014-000058

Dear Ms. Kitchings:

Enclosed for filing, please find the original and six (6) copies of the Motion to File Motion for Extension Out of Time and Proof of Service in the above-referenced case along with a check in the amount of Twenty-five Dollars (\$25.00) representing payment of the applicable fee. Please file the original and return the clocked copies to our office in the self-addressed, postage prepaid envelope that I have provided for your convenience.

By copy of this letter I am serving the Motion to File Motion for Extension of Time Out of Time on the Respondent. Thank you for your understanding and assistance in this matter.

With highest regards, I remain

Very truly yours,

  
JOHN W. CARRIGG, JR.

JWC,jr./adr  
Enclosure(s)

cc: Stephanie R. Fajardo, Esquire

**RECEIVED**  
MAY 19 2014  
SC Court of Appeals

Carrigg Law Firm  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072

**RECEIVED**

MAY 19 2014

**SC Court of Appeals**

The Honorable Jenny A. Kitchings, Clerk of  
Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

