

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

Appellate Case No. 2014-000606
Circuit Court Case No. 2013-CP-46-01569

RECEIVED

JUL 24 2014

SC Court of Appeals

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In the Matter of: Estate of James D. Rucker, Jr.
In Re: James D. Rucker, Jr., Trust, Marian Shamu, James F. Rucker, Sr.,
Endowed Scholarship Fund, Howard University School of Dentistry, Mt. Prospect
Baptist Church, Frances Julie Buchanan and Benedict College, Respondents,

v..

Tanzella Gaither, Appellant,

MOTION FOR EXTENSION OF TIME

Now Comes Appellant Tanzella Gaither by and through her undersigned counsel and moves the Court for an order granting her an extension of thirty days in which to file the Initial Brief of the Appellant and Designation of Matter. As grounds, Appellant respectfully submits the following:

1. On March 18, 2014, Appellant submitted for filing her Notice of Appeal in the within action. Pursuant to Rules 208 and 209, South Carolina Appellate Court Rules, Appellant's Initial Brief and Designation of Matter are due on or before July 28, 2014.

2. In addition to his normal workload, Appellant's counsel is scheduled to attend the 2014 NFLPA Contract Advisor Seminar and Examination for New Applicants in Washington, D.C., on July 24-25, 2014, and he is registered for the 2014 Annual Convention of the American Association for Justice in Baltimore, Maryland, July 26-29, 2014.

3. Appellant asserts that none of the parties to the appeal would suffer harm or undue inconvenience should the Court grant his request for an extension.

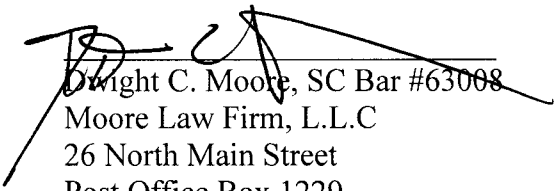
4. This is the first extension counsel has requested in this matter.

5. Counsel for the Respondents do not object to the extension being granted.

WHEREFORE, Counsel prays that this Court grant an extension of thirty days for Appellant to file her Initial Brief and Designation of Matter.

July 21, 2014

MOORE LAW FIRM, L.L.C.


Dwight C. Moore, SC Bar #63008

Moore Law Firm, L.L.C

26 North Main Street

Post Office Box 1229

Sumter, South Carolina 29151-1229


Telephone: (803) 778-6520

Fax: (803) 775-6365

Email: moorelawfirm@ftc-i.net

Attorney for Appellant

I CONSENT.


(See Attachment)

Thomas E. Lydon

McAngus Goudelock & Courier, L.L.C.

1320 Main Street, 10th Floor

Post Office Box 12519

Columbia, South Carolina 29211

Telephone: (803) 227-2292

Fax (803) 748-0526

Email tlydon@mgclaw.com

Attorney for Respondents

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3. Appellant asserts that none of the parties to the appeal would suffer harm or undue inconvenience should the Court grant his request for an extension.

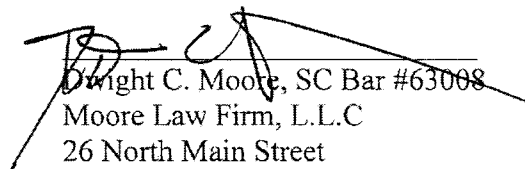
4. This is the first extension counsel has requested in this matter.

5. Counsel for the Respondents do not object to the extension being granted.

WHEREFORE, Counsel prays that this Court grant an extension of thirty days for Appellant to file her Initial Brief and Designation of Matter.

July 21, 2014

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Attorney for Appellant

I CONSENT.


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Post Office Box 12519

Columbia, South Carolina 29211

Telephone: (803) 227-2292

Fax (803) 748-0526

Email tlydon@mgclaw.com

Attorney for Respondents

Angela M. Kirby
Kirby Law, LLC
1531 Laurel Street
Columbia, South Carolina 29201
Telephone: (803) 256-6401
Fax (803) 445-1036
Email: angela@kirbylawsc.com
Attorney for Respondents

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In Re: James D. Rucker, Jr., Trust, Marian Shamu, James F. Rucker, Sr., Endowed
Scholarship Fund, Howard University School of Dentistry, Mt. Prospect Baptist Church,
Frances Julie Buchanan and Benedict College, Respondents,

v..

Tanzella Gaither, Appellant.

PROOF OF SERVICE

I certify that I have served the documents described below upon Marian Shamu, as Personal Representative of the Estate of James D. Rucker, Jr., on July 23, 2014, by depositing a copy of the said document in the United States Mail, postage prepaid, addressed to Respondent's attorneys of record as follows:

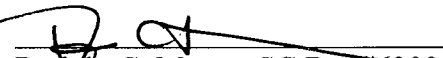
DOCUMENT(S) SERVED: Motion For Extension of Time and Proof of Service

PERSON(S) SERVED: Thomas E. Lydon, Esquire
McAngus Goudelock & Courie, L.L.C.
1320 Main Street, 10th Floor
P. O. Box 12519
Columbia, SC 29211

Angela M. Kirby, Esquire
Kirby Law, LLC
1531 Laurel Street
Columbia, SC 29201

July 24, 2014

MOORE LAW FIRM, L.L.C.


Dwight C. Moore, SC Bar #63008
Moore Law Firm, L.L.C
26 North Main Street
Post Office Box 1229
Sumter, South Carolina 29151-1229
Telephone: (803) 778-6520
Fax: (803) 775-6365
Email: moorelawfirm@ftc-i.net
Attorney for Appellant

Dwight C. Moore
Attorney at Law

26 North Main Street
P.O. Box 1229

Sumter, SC 29151-1229

Office: (803) 778-6520

Fax: (803) 775-6365

E-Mail: moorelawfirm@ftc-i.net

July 22, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1205 Pendleton Street
Columbia, SC 29201

VIA FEDERAL EXPRESS

Re: In the Matter of: Estate of James D. Rucker, Jr., etc., et al. v. Tanzella Gaither
Appellate Case No.: 2014-000606
Circuit Court Case Number: 2013-CP-46-01569
Moore File Number: 3649.4

Dear Ms. Kitchings:

Enclosed for the Court's consideration is an original and six copies of a Motion for Extension of thirty days in which to file the Initial Brief of the Appellant and Designation of Matter in the above-referenced case along with the original and six copies of the Proof of Service and Moore Law Firm Check in the amount of \$25.00 for the filing fee.

Also enclosed is a seventh copy of the Motion and Proof of Service. Please have the copies file-stamped and returned to this office in the self-addressed, postage prepaid envelope provided. Thank you for your consideration and cooperation in this matter.

Yours very truly,



Dwight C. Moore
DCM:dmm
Enclosures

c: Thomas E. Lydon, Esquire
McAngus Goudelock & Courie, L.L.C.
1320 Main Street, 10th Floor
P. O. Box 12519
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The Honorable Jenny Abbott Kitchings
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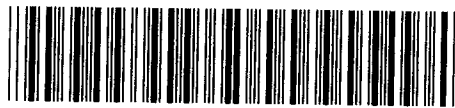
Dr. Tanzella Gaither
407 Old Friars Road
Columbia, SC 29210

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4b Express Freight Service

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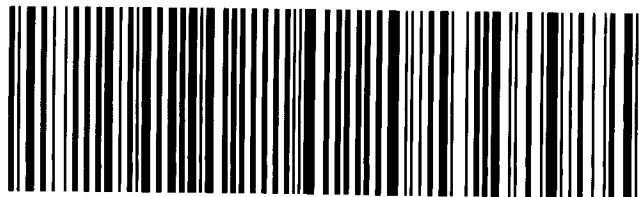
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