

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Maite D. Murphy
Circuit Court Judge

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SEP 22 2014

SC Court of Appeals

13602

Case No. 2011-CP-07-04999

STEFFANI WALTHER and MICHAEL D. WALTHER.....Appellants,

v.

EDDIE MAPLE and KATE MAPLE, INDIVIDUALLY and
d/b/a EQUINE MANAGEMENT, LLC.....Respondents.

**NOTICE OF MOTION AND MOTION TO
EXTEND TIME AND MEMORANDUM**

The Appellants, Steffani Walther and Michael D. Walther, by and through their Undersigned attorney, pursuant to Rule 240, SCACR, move the Court of Appeals for an order extending the time for the Appellants to file and serve their Initial Brief and Designation of Matter through and including Monday, October 20, 2014.

As appears from the affidavit of Appellant's counsel, which is attached to this motion, counsel has had trial and other commitments that have impinged upon the time to complete the brief, counsel has time allotted and presently available and he has secured the necessary assistance to complete the brief during the extension sought.

No previous extension has been sought by the Appellants.

The Initial Brief and Designation of Matter To Be Included in the Record on Appeal would otherwise be due on September 22, 2014.

Respectfully Submitted,

By:



Robert V. Mathison, Jr.
Attorney for the Appellants
Steffani Walther and
Michael D. Walther

MATHISON & MATHISON
Post Office Box 5271
Hilton Head Island
South Carolina 29938-5271
Telephone: (843) 785-6503
Email: rmathlaw@aol.com

September 19, 2014

Hilton Head Island, South Carolina.

MEMORANDUM

The relief requested in the motion set forth above is authorized by Rule 240, SCACR.

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AFFIDAVIT
(Robert V. Mathison, Jr.)

PERSONALLY appeared before me Robert V. Mathison, Jr. (herein sometimes "the Affiant"), who, first being duly sworn, says under oath the following:

1. My name is Robert V. Mathison, Jr., and I am an attorney licensed to practice law by the state of South Carolina.
2. I am the attorney for the Appellants, Steffani Walther and Michael D. Walther, and I reside at 21 Bateau Road at Hilton Head Island, in Beaufort County South Carolina.
3. I am 67 years of age, of sound mind, and I make this Affidavit of my own personal knowledge.
4. During the preceding two weeks, I (a) have finished and filed an appellate

brief, (b) have briefed and argued a motion for summary judgment in a major case that has been pending since 2011, and (c) have prepared for and tried a non-jury case, all of which left too little time to work on the Appellants' Initial Brief in this case.

5. I have secured the assistance of a younger lawyer and have allotted at least one week commencing on October 7, 2014, to do the majority of the work on the brief in this case.

6. As a consequence, barring some unforeseen event, no further extension should be required.

7. The Appellants' Initial Brief and Designation of Matter To Be Included in the Record on Appeal would otherwise be due on Monday, September 22, 2014, and an extension through Monday, October 20, 2014, is being requested.

FURTHER THE AFFIANT SAYETH NOT.



Robert V. Mathison, Jr.

SWORN to before me this
19th day of September, 2014.



Notary Public for South Carolina
My Commission Expires 8/13/23.

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STEFFANI WALTHER and MICHAEL D. WALTHER.....Appellants,

v.

EDDIE MAPLE and KATE MAPLE, INDIVIDUALLY and
d/b/a EQUINE MANAGEMENT, LLC.....Respondents.

PROOF OF SERVICE

I, Robert V. Mathison, Jr., hereby certify that on September 19, 2014, I filed and served by mail the originals and copies of the Notice of Motion and Motion to Extend Time and Memorandum and the Affidavit of Robert V. Mathison, Jr., both dated September 19, 2014, by depositing same, with sufficient first class postage prepaid, at the United States Post Office at Hilton Head Island, South Carolina, addressed as follows:

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court
of Appeals
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

Phillip Florence, Jr., Esquire
The Florence Law Group, LLC
Post Office Box 22497
Charleston, SC 29413-2497

A handwritten signature in black ink, appearing to read "R. Mathison, Jr.", written over a horizontal line.

Robert V. Mathison, Jr.
Attorney for the Appellants
Steffani Walther and
Michael D. Walther

LAW OFFICES
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ROBERT V. MATHISON, JR.

KERRY F. MATHISON

September 19, 2014

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court
Of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Steffani Walther, et al. v. Eddie Maple, et al.
Case No. 2011-CP-07-04999
Appellate Case No. 2013-002569

Dear Ms. Kitchings:

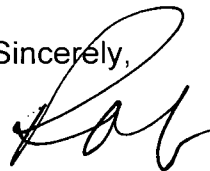
Enclosed for filing please find the originals and six copies each of the following documents:

1. Respondent's Notice of Motion and Motion to Extend Time to file the Appellants' Initial Brief and Designation of Matter dated September 19, 2014; and
2. The Affidavit of Robert V. Mathison, Jr., dated September 19, 2014.

Also enclosed are the original Proof of Service and our check in the amount of \$25.00 to pay the filing fee.

With kind regards, I am

Sincerely,



Robert V. Mathison, Jr.

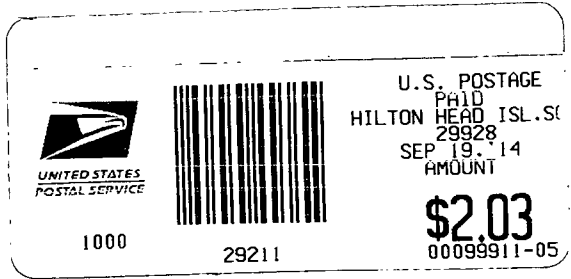
RVM:bh

Enclosures

cc: Phillip Florence, Jr., Esquire
Mrs. Steffani Walther
Mr. Michael D. Walther

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