

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable DeAndrea Gist Benjamin, Circuit Court Judge

Case No. 2001-CP-40-4203
Appellate Case No. 2014-001826

73840

EDWIN M. SMITH, JR. APPELLANT,

vs.

DAVID A. FEDOR, RESPONDENT.

APPELLANT'S MOTION FOR EXTENSION OF TIME

Pursuant to South Carolina Appellate Court Rule 263(b), Appellant Edwin M. Smith, Jr., moves for an extension of thirty (30) days from the existing deadline to file his Initial Brief in this matter. Appellant filed his Notice of Appeal on August 21, 2014. On Sunday, September 21, 2014, Appellant received by electronic mail the transcript of the hearing on Respondent David Fedor's Rule 60(b) Motion from which this appeal arises. Appellant's Initial Brief is now due on or before October 21, 2014. Appellant's counsel respectfully requests this extension due to the need to obtain documents from a court file located in a different county from where the Appellant's counsel is located. Also Appellant's counsel respectfully requests this extension due to numerous commitments in ongoing cases. Appellant has not requested any prior extension from the Court in this case.

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If the extension is granted, Appellant's Initial Brief will be due on or before Thursday, November 20, 2014. Appellant's counsel has conferred with counsel for Respondent regarding this motion, and he consents to the thirty (30) day extension.

For the reasons set forth herein, Appellant requests a thirty (30) day extension to serve and file his Initial Brief.

Respectfully submitted,

THE GILREATH LAW FIRM, P.A.

By: William M. Hogan
William M. Hogan (S.C. Bar #65272)
James R. Gilreath (S.C. Bar #02133)
THE GILREATH LAW FIRM, P.A.
110 Lavinia Avenue (zip 29601)
P.O. Box 2147
Greenville, SC 29602
Telephone: (864) 242-4727
Fax: (864) 232-4395
bhogan@gilreathlaw.com
jim@gilreathlaw.com

and

Edward L. Grimsley
Eric Wm. Ruschky
GRIMSLEY LAW FIRM, LLC
1703 Laurel Street (zip 29201)
Post Office Box 11682
Columbia, SC 29211
Telephone: (803) 233-1177
egrimsley@grimsleylaw.com
mruschky@aol.com

ATTORNEYS FOR APPELLANT

October 14, 2014
Greenville, South Carolina.

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Case No. 2001-CP-40-4203
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EDWIN M. SMITH, JR. APPELLANT,

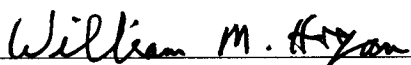
vs.

DAVID A. FEDOR, RESPONDENT.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the Appellant in the foregoing matter with a copy of the foregoing **APPELLANT'S MOTION FOR EXTENSION OF TIME** by electronic mail and also depositing same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

Leo A. Dryer, Jr., Esquire
DRYER LAW OFFICES
P.O. Box 11567
Columbia, SC 29211



William M. Hogan (S.C. Bar #65272)
James R. Gilreath (S.C. Bar #02133)
THE GILREATH LAW FIRM, P.A.
110 Lavinia Avenue (zip 29601)
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Greenville, SC 29602
Telephone: (864) 242-4727

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Telephone: (803) 233-1177
egrimsley@grimsleylaw.com
mruschky@aol.com

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October 14, 2014
Greenville, South Carolina.

THE GILREATH LAW FIRM, P.A.

JAMES R. GILREATH*
jim@gilreathlaw.com
*ALSO ADMITTED TO PRACTICE IN NC
WILLIAM M. HOGAN
bhogan@gilreathlaw.com

110 LAVINIA AVENUE (29601)
P.O. BOX 2147
GREENVILLE, SC 29602
www.gilreathlaw.com

TELEPHONE (864) 242-4727
FACSIMILE (864) 232-4395

October 14, 2014

VIA FEDERAL EXPRESS

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

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SC Court of Appeals

RE: *Edwin M. Smith v. David A. Fedor*
South Carolina Court of Appeals Case No. 2014-001826

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Appellant's Motion for Extension of Time and a Certificate of Service regarding the above referenced case. Also enclosed is a check in the amount of \$25 for the filing fee.

Please file the originals and return a filed-clocked copy to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter. If you have any questions or need anything further, please let me know.

Sincerely,



William M. Hogan

WMH/kmk
Enclosures

cc: Leo A. Dryer, Jr., Esquire (w/enclosures – via electronic mail and U.S. Mail)
Edward L. Grimsley, Esquire (w/enclosures – via electronic mail and U.S. Mail)
Eric William Ruschky, Esquire (w/enclosures – via electronic mail and U.S. Mail)

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James Gilreath
Gilreath Law Firm
110 Lavinia Avenue
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**Hon. Jenny Abbott Kitchings
South Carolina Court of Appeals
1205 Pendleton St**

COLUMBIA, SC 29201

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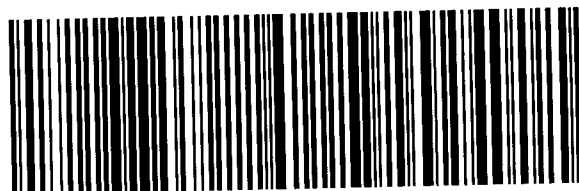
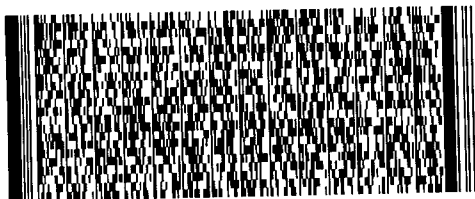
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