

EP

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

Hon. S. Jackson Kimball, III  
Master in Equity Judge

M3897

Appellate Case No. 2014-000730

EARL DUKES, .....Appellant,

vs.

KENNITH W. FARRELL, MARY C. FARRELL, and  
MARTIN BOGDONOVITCH, ..... Defendants,

Of whom KENNITH W. FARRELL and MARY C. FARRELL

are the ..... Respondents.

\_\_\_\_\_  
MOTION FOR EXTENSION OF TIME  
\_\_\_\_\_

**RECEIVED**

OCT 20 2014

**SC Court of Appeals**

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Respondents, by their counsel herein, move this Court for an order granting them an extension of time in which to file and serve their Initial Brief and Designation of Matter to Be Included in the Record on Appeal, on the grounds stated below:

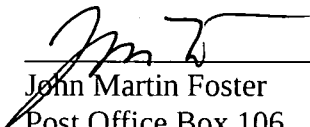
1. By Order of the Court filed September 15<sup>th</sup>, 2014 and received September 17<sup>th</sup>, 2014, the Court required the Appellant's Initial Brief and Designation of Matter within thirty days from the date of the said Order.
2. Owing to the press of business and other Appellate deadlines, counsel for Respondents has not been able to timely respond within the said thirty (30) days after the Court's Order, which deadline would be October 15th, 2014.
3. The Respondents pray for an extension of time to serve and file their Initial Brief and Designation of Matter for an additional period of thirty (30) days.

1st  
10-15-14  
11-14-14

The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Respondents herein move this Court for an extension of time to serve and file their Initial Brief and Designation of Matter for an additional thirty (30) days, pursuant to Rule 240 and 263(b), S.C.A.C.R.

October 16, 2014

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Respondents

Other Counsel of Record:

J. Cameron Halford  
Halford, Niemiec & Freeman, LLP  
Attorneys for Appellant  
238 Rockmont Drive  
Fort Mill, SC 29708  
803 547-6618

STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM YORK COUNTY  
Court of Common Pleas

Hon. S. Jackson Kimball, III  
Master in Equity Judge

---

Appellate Case No. 2014-000730

---

EARL DUKES, .....Appellant,

vs.

KENNITH W. FARRELL, MARY C. FARRELL, and  
MARTIN BOGDONOVITCH, ..... Defendants,

Of whom KENNITH W. FARRELL and MARY C. FARRELL  
are the ..... Respondents.

---

PROOF OF SERVICE

---

I certify that I have served the Motion for Extension of Time dated October 15, 2014 on the following counsel or persons of record:

J. Cameron Halford  
Halford, Niemiec & Freeman, LLP  
Attorneys for Appellant  
238 Rockmont Drive  
Fort Mill, SC 29708

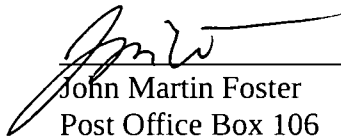
**RECEIVED**

OCT 20 2014

**SC Court of Appeals**

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262, S.C.A.C.R.

October 16, 2014

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellant

JOHN MARTIN FOSTER

*Attorney at law*

---

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

---

October 16, 2014

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

Re: Earl Dukes, Appellant,  
v. Kenneth Farrell and Mary C. Farrell, Respondents.

Appellate Case No. 2014-000730

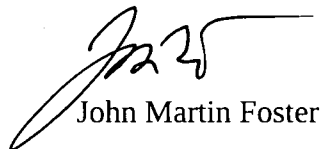
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(b), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Respondents' Motion for Extension of Time, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Appellant with a copy of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,



John Martin Foster

jmf/  
enclosures

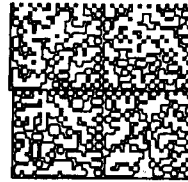
cc: Client File

J. Cameron Halford  
Halford, Niemiec & Freeman, LLP  
Attorneys for Appellant  
238 Rockmont Drive  
Fort Mill, SC 29708  
803 547-6618

**RECEIVED**

OCT 20 2014

**SC Court of Appeals**



neopost N042J80027835  
**\$2.03**  
10/16/14  
Mailed From 29730  
US POSTAGE

**John Martin Foster Attorney**

223 East Main St Suite 520  
Post Office Box 106  
Rock Hill SC 29731-6106

---

**TO:**

THE HONORABLE JENNY ABBOTT KITCHINGS  
CLERK OF THE COURT OF APPEALS  
POST OFFICE BOX 11629  
COLUMBIA, S.C. 29211

**RECEIVED**

OCT 20 2014

**90 Court of Appeals**