

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

Appeal from the Court of Common Pleas
For Charleston County
Honorable J. C. Nicholson, Jr., Circuit Judge
Civil Action Nos.: 2010-CP-10-9096
And 2011-CP-10-8840

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NOV 03 2014

SC Court of Appeals

M4054

Frank Gordon, Jr., Individually and as Trustee
of the Dorothy S. Gordon (Deceased) Trust,

Respondent,

v.

Donald W. Lancaster,

Appellant.

**Motion for Extension of Time To
File Initial Brief and DOM**

Stephen P. Groves, Sr., Esquire
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Attorneys for the Appellant

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

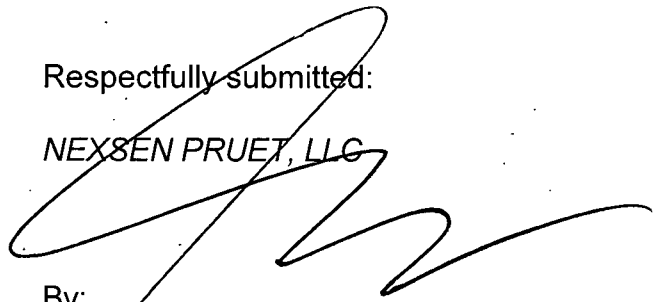
COMES NOW the Appellant, Donald W. Lancaster ("Mr. Lancaster"), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant him an additional thirty-day (30) extension of time in which to file his Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal (the "DOM") in this appellate matter. The basis for this motion is that Mr. Lancaster's appellate counsel is involved in other appellate and trial matters at this time and need the additional time in which to complete the Initial Brief and the DOM.

Based upon the current briefing schedule Mr. Lancaster's Initial Brief and DOM are currently due on or before Monday, 3 November 2014 (as the 30th day after the 2 October 2014, Consolidation Order falls on Saturday, 1 November 2014). Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Mr. Lancaster's Initial Brief and DOM would then be due on or before Wednesday, 3 December 2014. Absent extreme exigent circumstances, no additional extensions are anticipated.

Finally, Mr. Lancaster respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this joint motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC



By: _____

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Attorneys for the Appellant

Charleston, South Carolina

30 October 2014

NPCHAR1:1373411.1-APL-(SPG) 053211-00001

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Frank Gordon, Jr., Individually and as Trustee
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Proof of Service for Extension Motion

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Attorneys for the Appellant

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 30 October 2014, I served a copy of the **Motion for Extension of Time in which to File Initial Brief and DOM** submitted by the Appellant, Donald W. Lancaster, on counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows:

Justin O'Toole Lucey, Esquire
Stephanie L. Drawdy, Esquire
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mount Pleasant, South Carolina 29201
Telephone: 843.849.8400
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Attorneys for the Respondent

Signed: 
Stephen P. Groves, Sr.

Charleston, South Carolina

30 October 2014

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Stephen P. Groves, Sr.
Member
Admitted in SC

30 October 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust v Donald W. Lancaster
Appeal from the Charleston County
Court of Common Pleas

Case Action No.: 2011-CP-10-8840
Appellate Case Tracking No.: **2014-001247**
Case Action No.: 2010-CP-10-9096
Appellate Case Tracking No.: **2014-001763**
(Consolidated Cases)
NP File No.: 053211-00001

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of a **Motion for Extension of Time in Which to File Initial Brief and DOM** in the above-referenced consolidated appellate matters. I also enclose a **Proof of Service** indicating service of the **Motion for Extension of Time in Which to File Initial Brief and DOM** and the **Proof of Service** upon counsel for the Respondent. Finally, I enclose our firm check in the amount of \$25.00 as payment for the filing fee. I would greatly appreciate you filing the **Motion for Extension of Time in Which to File Initial Brief and DOM** and the **Proof of Service** with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addresses, stamped envelope.

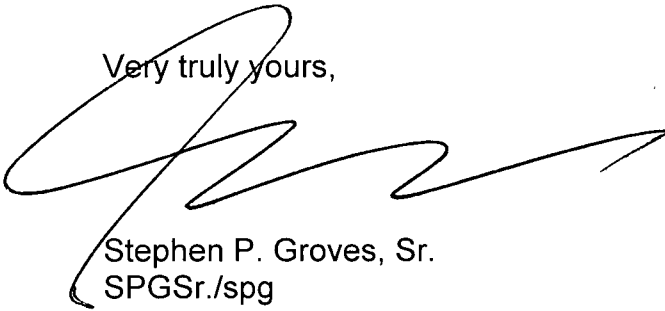
If you need anything else or I otherwise may be of any assistance to you or to the Court of Appeals regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is sgroves@nexsenpruet.com.

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Attorneys and Counselors at Law

Honorable Jenny Abbott Kitchings
Clerk of Court
30 October 2014
Page 2 of 2

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen P. Groves, Sr.", written in a cursive style.

Stephen P. Groves, Sr.
SPGSr./spg

cc: Justin O'Toole Lucey, Esquire
John J. Dodds, III, Esquire
Mr. Donald Lancaster

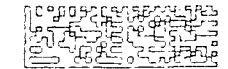
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