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STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS

RECEIVED  
DEC 01 2014  
SC 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

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

Respondent,

v.

Donald W. Lancaster,

Appellant.

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**Motion for Extension of Time (2<sup>nd</sup>)  
To File Initial Brief and DOM**

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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 a final 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 the (a) advent of the Thanksgiving holidays, (b) Mr. Lancaster's appellate counsel's recent minor surgery, and (c) Mr. Lancaster's appellate counsel is involved in other appellate and trial matters at this time and need the additional time in which to circulate and 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 **Wednesday, 3 December 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 **Friday, 2 January 2015**.

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

Respectfully submitted:

*NEXSEN PRUET, LLC*

By: 

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*Attorneys for the Appellant*

Charleston, South Carolina

25 November 2014

STATE OF SOUTH CAROLINA  
IN THE  
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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 25 November 2014, I served a copy of the **Motion for Extension of Time (2<sup>nd</sup>) 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  
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*Attorneys for the Respondent*

Signed: \_\_\_\_\_

Stephen P. Groves, Sr.

Charleston, South Carolina

25 November 2014

Stephen P. Groves, Sr.  
Member  
Admitted in SC

25 November 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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DEC 01 2014  
**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](mailto:sgroves@nexsenpruet.com).

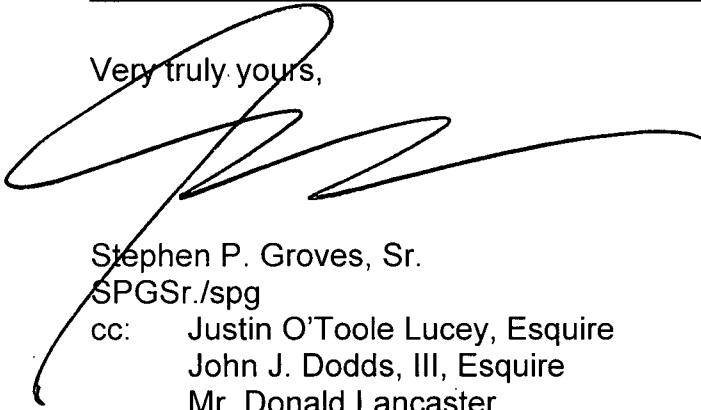
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Nexsen Pruet, LLC  
**Attorneys and Counselors at Law**

Honorable Jenny Abbott Kitchings  
Clerk of Court  
25 November 0 October 2014  
Page 2 of 2

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Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'Stephen P. Groves, Sr.', is written over the typed name and extends across the width of the page.

Stephen P. Groves, Sr.  
SPGSr./spg

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

NPCHAR1:1347273.1-LT-(SPG) 053211-00001

Haster

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