

74839

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Judge

Appellate Case No. 2014-002587
Common Pleas Case Nos. 2012-CP-40-6974 & 2014-CP-40-3960 (restored)

S. Coley Brown,.....Appellant,

v.

Spring Valley Homeowners Association, Inc.....Respondent.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANT'S INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

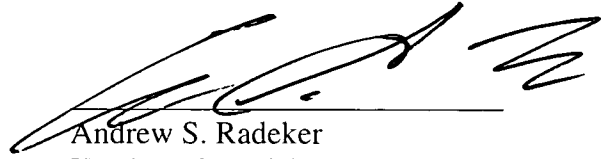
RECEIVED
JAN 23 2015
SC Court of Appeals

Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 30-day extension of the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal is currently February 4, 2015.
2. This is the first extension that Appellant has sought in this appeal.
3. Respondent's counsel have consented to this extension, as shown by the attached email messages.
4. January has been a busy month for Appellant's counsel, who during this month has had a trial, written and submitted a brief to this court in a different case, and written and submitted a brief to the Supreme Court of South Carolina.
5. On January 28, 2015, Appellant's counsel has a previously extended brief submission deadline in another case in this court.
6. Appellant's counsel believes there is good cause to grant the requested 30-day extension to March 6, 2015.

WHEREFORE Appellant prays for an Order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal for thirty days.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. S. Radeker", is written over a horizontal line.

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

January 23, 2015

Drew Radeker

From: Charles Krawczyk <ckrawczyk@FinkelLaw.com>
Sent: Tuesday, January 20, 2015 5:57 PM
To: Drew Radeker; 'Ely Grote (eog@brownandbrehmer.com)'
Subject: RE: Brown v. Spring Valley HOA

I will consent if Ely is OK with it

From: Drew Radeker [mailto:Drew@harrisonfirm.com]
Sent: Tuesday, January 20, 2015 5:19 PM
To: Ely Grote (eog@brownandbrehmer.com); Charles Krawczyk
Subject: Brown v. Spring Valley HOA

Ely & Charlie:

I hope this finds you both doing well. The deadline to serve and file the appellant's initial brief and designation is February 4. Would you consent to an extension? I would greatly appreciate that, as I have a number of other deadlines around that time.

Thank you.

Drew Radeker

HARRISON & RADEKER, P.A.

ATTORNEYS AT LAW

*Real Estate / Property Disputes · Foreclosure · Media Law · Zoning · Criminal Defense · Appeals
Personal Injury · Consumer Law · Mediation/Arbitration · False Arrest · Commercial Litigation*

923 Calhoun Street, Columbia, South Carolina 29201
Post Office Box 50143, Columbia, South Carolina 29250
Telephone: (803) 779-2211
Facsimile: (803) 779-6700

This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (803) 779-2211 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.) Thank you.

DISCLAIMER: The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or legally privileged material. Any review, retransmission, dissemination or other use of this information, directly or indirectly, by persons or entities other than the intended recipient is prohibited. If you are not the intended recipient please contact the sender and delete the material from all computers in which it resides. Internet communications cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late, incomplete, or contain viruses. Therefore, we do not accept responsibility for any errors or omissions that are present in this message, or any attachments, that have arisen as a result of e-mail transmission. If verification is required, please request a hard-copy version or contact us by phone. Any views or opinions presented are solely those of the author and do not necessarily represent those of the firm.

CIRCULAR 230 DISCLOSURE: To comply with Treasury Department regulations, we inform you that, unless otherwise expressly indicated, any tax advice contained in this communication (including any attachments or enclosures) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties that may be imposed under the Internal Revenue Code or any other applicable tax law, or (ii) promoting, marketing or recommending to another party any entity, investment, plan, transaction, arrangement, or other tax related matter.

Drew Radeker

From: Ely Grote <eog@brownandbrehmer.com>
Sent: Wednesday, January 21, 2015 6:09 PM
To: Drew Radeker; 'Charles Krawczyk' (ckrawczyk@FinkelLaw.com)
Subject: RE: Brown v. Spring Valley HOA

I have no problem with an extension and am glad to agree to it.

Ely O. Grote
Attorney at Law
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202
Phone: (803) 771-6600
Fax: (803) 252-1620

From: Drew Radeker [<mailto:Drew@harrisonfirm.com>]
Sent: Tuesday, January 20, 2015 5:19 PM
To: Ely Grote; 'Charles Krawczyk' (ckrawczyk@FinkelLaw.com)
Subject: Brown v. Spring Valley HOA

Ely & Charlie:

I hope this finds you both doing well. The deadline to serve and file the appellant's initial brief and designation is February 4. Would you consent to an extension? I would greatly appreciate that, as I have a number of other deadlines around that time.

Thank you.

Drew Radeker

HARRISON & RADEKER, P.A.

ATTORNEYS AT LAW

*Real Estate / Property Disputes · Foreclosure · Media Law · Zoning · Criminal Defense · Appeals
Personal Injury · Consumer Law · Mediation/Arbitration · False Arrest · Commercial Litigation*

923 Calhoun Street, Columbia, South Carolina 29201
Post Office Box 50143, Columbia, South Carolina 29250
Telephone: (803) 779-2211
Facsimile: (803) 779-6700

This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (803) 779-2211 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.) Thank you.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Judge

Common Pleas Case Nos. 2012-CP-40-6974 & 2014-CP-40-3960 (restored)

S. Coley Brown,.....Appellant,

v.

Spring Valley Homeowners Association, Inc.....Respondent.

PROOF OF SERVICE

I certify that I served the foregoing motion for extension by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Ely O. Grote, Esq.
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202


Charles A. Krawczyk, Esq.
Finkel Law Firm LLC
P.O. Box 1799
Columbia, SC 29202

January 23, 2015

RECEIVED

JAN 23 2015

SC Court of Appeals



Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

LAW OFFICES
HARRISON & RADEKER, P.A.
923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

James C. Harrison, Jr.*
Andrew S. Radeker
Taylor M. Smith IV

P.O. Box 50143
Columbia, SC 29250

(803) 779-2211
(803) 779-6700 (FAX)

* Mediator/Arbitrator

January 23, 2015

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

Re: S. Coley Brown v. Spring Valley Homeowners Association, Inc.
Appellate Case No. 2014-002587

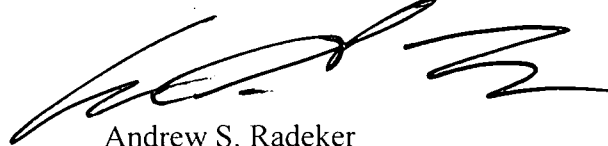
Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and seven copies of a motion for extension of time, with attached proof of service thereof. Also enclosed is this firm's check in the amount of \$25.00 as the motion fee.

Kindly file these documents and return a file-stamped copy to this office in the stamped and addressed envelope enclosed. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/
Enclosures

cc: Ely O. Grote, Esq.
Charles A. Krawczyk, Esq.

RECEIVED
JAN 23 2015
SC Court of Appeals