

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
In the Court of Common Pleas

The Honorable J. Derham Cole, Circuit Court Judge

Case No. 2014-CP-42-1081

Lenora Whitfield Tucci,Appellant,

v.

April Tucci and Robert D. Ganyard,
Personal Representatives of The Estate
of Francis Paul Tucci, Jr.,.....Respondents.

RETURN TO MOTION
TO EXTEND TIME TO FILE APPELLANT'S INITIAL BRIEF

Respondents, April Tucci and Robert D. Ganyard, Personal Representatives of The Estate of Francis Paul Tucci, Jr., by way of Return to Motion of Appellant, Lenora Whitfield Tucci, requesting a second thirty (30) day extension of time to file Appellant's Initial Brief to April 8, 2015, would show unto this Court that Respondents are opposed to said Motion and well and truly believe that this Court should deny such Motion, for one or more of the following reasons:

1. Appellant's Initial Brief was originally due to be filed on or before February 9, 2015. Appellant's first Motion to Extend Time to File Appellant's Initial Brief filed on February 8, 2015 was duly granted by this Court on February 13, 2015, thereby providing Appellant a total of sixty (60) days in which to file her Initial Brief.

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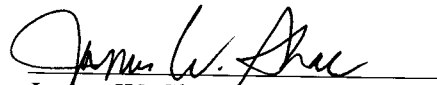
MAR 17 2015

SC Court of Appeals

2. The Order of the Probate Court for Spartanburg County dated February 28, 2014, from which Appellant appealed to the Court of Common Pleas, requires Respondents to reimburse Appellant for one-half of mortgage payments, taxes and insurance made from March 1, 2014 until resolution of this matter. Appellant's request for a second extension will further delay the conclusion of this appeal, and will increase the amount which Respondent will owe to Appellant by way of reimbursement for one-half of mortgage payments and related expenses.

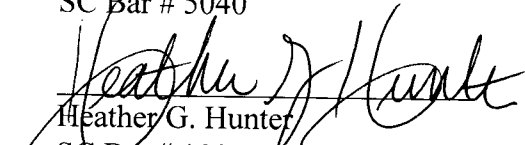
For the foregoing reasons, Respondents request that Appellant's motion for a second extension of time be denied and that this Appeal be dismissed due to Appellant's failure to timely file her Initial Brief by the extended due date.

March 13, 2015



James W. Shaw

SC Bar # 5040



Heather G. Hunter

SC Bar # 100624

Dennis, Shaw, Drennan & Pack, LLC
103 Lafayette Street
Spartanburg, SC 29302
(864) 582-0708
Attorneys for Respondents

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PROOF OF SERVICE

The undersigned hereby certifies that on this date she has served a copy of the Return to Motion to Extend Time to File Appellant's Initial Brief, by ordinary first-class mail, filed in this case to the following attorney for the Appellant:

Kenneth P. Shabel
175 Magnolia Street
Suite 201
Spartanburg, SC 29306

This 13 day of March, 2015.

SWORN to before me this 13
day of March, 2015.

Ann Powers Givens
Notary Public for South Carolina
My commission expires 11/2/16

Heather G. Hunter
Heather G. Hunter
Dennis, Shaw, Drennan & Pack, LLC
103 Lafayette Street
Spartanburg, SC 29302
(864) 582-0708

DENNIS, SHAW, DRENNAN & PACK, LLC

ATTORNEYS AT LAW

103 LAFAYETTE STREET

REPLY TO: POST OFFICE BOX 891

SPARTANBURG, S.C. 29304-0891

TELEPHONE (864) 582-0708

FAX (864) 582-0934

March 13, 2015

JAMES W. SHAW, P.A.*

JAMES B. DRENNAN, III, P.A.*

S. MICHAEL PACK, JR., P.A.*

HEATHER G. HUNTER

*CERTIFIED SPECIALIST IN ESTATE PLANNING & PROBATE LAW

ALSO ADMITTED IN ALABAMA

R. RAY DENNIS

Retired

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

Re: Lenora Tucci v. April Tucci
Appellate Case No. 2014-002726

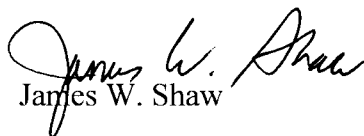
Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Return to Motion by Respondents in the above-referenced matter. Also enclosed is the original and two (2) copies of a Proof of Service upon the Attorney for Appellant.

With kindest regards,

Sincerely yours,

DENNIS, SHAW, DRENNAN & PACK, LLC


James W. Shaw

Enclosures

cc:

Kenneth P. Shabel

175 Magnolia Street

Suite 201

Spartanburg, SC 29306

Ms. April Tucci

Mr. Robert Ganyard

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DENNIS, SHAW & DRENNAN, LLC
ATTORNEYS AT LAW
103 LAFAYETTE STREET
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