

15827

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APR 29 2015

**SC 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-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  
RESPONDENT'S INITIAL BRIEF AND DESIGNATION  
OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

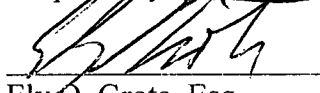
Ely O. Grote, Esq.  
Brown & Brehmer  
1720 Main Street, Suite 201  
P.O. Box 7966  
Columbia, SC 29202  
(803) 771-6600  
Attorneys for Respondent

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

1. The deadline for service and filing of Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal is currently May 6, 2015.
2. This is the first extension that Respondent has sought this Appeal.
3. Appellant's counsel has consented to the requested extension, as evidenced by the email attached as **Exhibit A** and incorporated herein by reference.
4. The month of April has been a very busy and high work load month for Respondent's counsel, who, among other things, has participated in numerous depositions and multiple mediations, several of which required out-of-town travel; all of which have significantly limited Respondent's counsel's available time and ability to prepare Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal.
5. Respondent's counsel believes that there is good cause to grant the requested 30-day extension to June 5, 2015.

WHEREFORE, Respondent prays for an Order extending the time in which to serve and file Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal for 30 days..

Respectfully submitted,

  
\_\_\_\_\_  
Ely O. Grote, Esq.  
Brown & Brehmer  
1720 Main Street, Suite 201  
P.O. Box 7966  
Columbia, SC 29202  
(803) 771-6600  
Attorneys for Respondent

Columbia, South Carolina  
April 28, 2015

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
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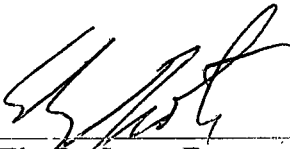
Spring Valley Homeowners Association, Inc.....Respondent.

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:

Andrew S. Radeker, Esq.  
Harrison & Radeker, P.A.  
P.O. Box 50143  
Columbia, SC 29250  
*Attorney for Appellant*

Charles A. Krawczyk, Esq.  
Finkel Law Firm, LLC  
P.O. Box 1799  
Columbia, SC 29202  
*Co-Counsel for Respondent*

  
\_\_\_\_\_  
Ely O. Grote, Esq.  
Brown & Brehmer  
1720 Main Street, Suite 201  
P.O. Box 7966  
Columbia, SC 29202  
(803) 771-6600  
Attorneys for Respondent

Dated: April 28, 2015

## Ely Grote

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**From:** Drew Radeker <Drew@harrisonfirm.com>  
**Sent:** Friday, April 24, 2015 2:33 PM  
**To:** Ely Grote  
**Cc:** Charles Krawczyk  
**Subject:** Re: Brown v. Spring Valley HOA

Of course. I consent.

Drew Radeker

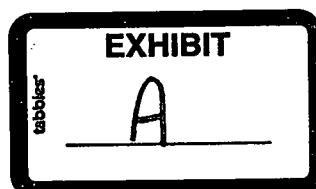
Sent from my iPhone - please excuse any typos

On Apr 24, 2015, at 2:32 PM, Ely Grote <[eog@brownandbrehmer.com](mailto:eog@brownandbrehmer.com)> wrote:

Drew:

Would you be willing to consent to a 30 day extension for serving Respondent's initial brief? I appreciate your consideration of this request.

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



# BROWN & BREHMER

Attorneys at Law

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ROBERT C. BROWN  
KARL S. BREHMER  
E. DALE LANG, JR.  
L. DARBY PLEXICO, III  
ELY O. GROTE

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April 29, 2015

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**SC Court of Appeals**

**Via Hand Delivery**

The Hon. Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals of South Carolina  
Calhoun Building  
1220 Senate Street  
Columbia, SC 29201

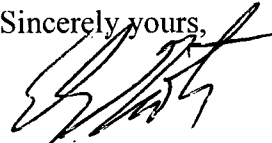
Re: *S. Coley Brown v. Spring Valley Homeowners' Association, Inc.*  
Appellate Case No.: 2014-002587  
Claim No.: 6139PE019484

Dear Ms. Kitchings:

Enclosed for filing please find an original and seven copies of a Motion for Extension of Time, together with Proof of Service and my firm's check in the amount of \$25.00. Kindly file these documents and provide a file-stamped copy to my runner.

By copy of this letter, I am serving a copy of this Motion upon all counsel of record. Should you have any questions or concerns, please do not hesitate to contact me. With warmest personal regards, I am

Sincerely yours,



Ely O. Grote

EOG/mmh  
Enclosures

cc: Andrew S. Radeker, Esq. (w/Encl.)  
Charles A. Krawczyk, Esq. (w/Encl.)