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THE STATE OF SOUTH CAROLINA  
South Carolina Court of Appeals

4-30  
1st 6-1

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

75742  
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2012-CP-07-03209

APR 23 2015

SC Court of Appeals

The Callawassie Island Members Club, Inc.....Respondent,

vs.

Michael J. Frey and Grace I. Frey.....Defendants.

Of Whom Michael J. Frey is the Appellant.

MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF

Respondent, The Callawassie Island Members Club, Inc. ("the Club"), respectfully requests that the deadline to file Respondent's Initial Brief be held in abeyance until such time as Appellant conforms its Initial Brief to South Carolina Appellate Court Rule 208(b)(4).

On March 31, 2015, Appellant served via U.S. Mail its Initial Brief. The brief was received by Counsel for the Club on April 7, 2015. Appellant's Initial brief failed to provide proper citations of the alleged salient facts, as required by Rule 208(b)(4), SCACR. Rather, the initial brief contained citations merely to "R.p. \_\_\_\_." Counsel for the Club communicated the deficiency to Appellant who provided a corrected brief and indicated he would provide a "formal supplement"

to this Court. However, the corrected brief failed to provide proper citations to relevant hearing transcripts and deposition transcripts. In addition, Appellant has yet to formally move to amend his initial brief.

Accordingly, Respondent is unable to adequately respond to Appellant's Initial Brief until such time as the filing is brought into conformity with the Appellant Court Rules. Respondent respectfully requests the deadline for serving and filing its Initial Brief be held in abeyance until such time as Appellant serves and files an Initial Brief that fully complies with the citation requirements of the South Carolina Appellant Court Rules. Respondent further requests a thirty day extension of time to file its initial brief following the filing of Appellant's amended brief.

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By: 

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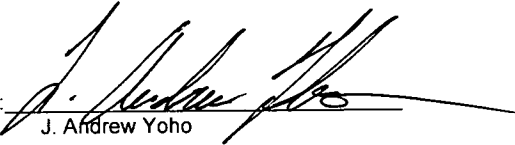
Attorneys for the Callawassie Island  
Members Club

Beaufort, South Carolina

April 17, 2015

CERTIFICATE OF SERVICE

I certify that I served the foregoing Motion for Extension upon all counsel of record by affixing same with proper postage placing same with the United States Postal Service addressed to counsels' last known address on 17<sup>th</sup> day of April, 2015.

By:   
J. Andrew Yoho

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APR 29 2015  
SC Court of Appeals

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JAMES S. GIBSON, JR. \*  
Of Counsel

\*Certified Mediator

April 21, 2015

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APR 23 2015

SC Court of Appeals

Hon. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

Re: The Callawassie Island Members Club, Inc. vs. Michael J.  
Frey and Grace I. Frey  
Appellate Case No. 2015-000002  
Civil Action No.: 2012-CP-07-03209  
Our File No: 10809 11 SPH


Dear Ms. Kitchings:

Please find enclosed herewith for filing, on behalf of The Callawassie Island Members Club, Inc., its Motion for Extension of Time to File Initial Brief with regard to the above referenced matter. Also enclosed please find our firm's check in the amount of \$25.00 in payment of the required motion fee. I would appreciate your filing the same and returning a filed clocked copy to me in the enclosed self-addressed, stamped envelope provided for your convenience.

By copy hereof to all counsel of record, I am providing them with a copy of the Motion as well.

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.



J. Andrew Yoho

JAY/cab  
Enclosure

cc: Ehrick K. Haight, Jr., Esquire - via email only  
Stacey Collins, Esquire - via email only  
Ian S. Ford, Esquire - via email/US Mail  
Neil D. Thomson, Esquire - via email/US Mail