

76496

STATE OF SOUTH CAROLINA
IN THE
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
Appellate Tracking Nos. 2014-001247 and 2014-001763

RECEIVED
JUL 06 2015
SC Court of Appeals

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

Respondent,

v.

Donald W. Lancaster,

Appellant.

**Motion for Extension of Time To
File Initial Reply Brief**

Stephen P. Groves, Sr., Esquire
S.C. Bar No. 007854
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206
E-Mail: SGroves@nexsenpruet.com

John J. Dodds, III, Esquire
S.C. Bar No. 001707
CISA & DODDS
858 Lowcountry Boulevard, Suite 101
Mount Pleasant, South Carolina 29464
Telephone: 843.881.6530
E-Mail: john@cisadodds.com

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 ten-day (10) extension of time in which to file his Initial Reply Brief and, if necessary, Reply Designation of Matter to be Included in the Record on Appeal (the "Reply DOM") in this appellate matter. The basis for this motion is that Mr. Lancaster's appellate counsel is involved in other appellate and trial matters at this time and needs the additional time in which to complete the Initial Reply Brief and, if needed, the Reply DOM.

Based upon the current briefing schedule Mr. Lancaster's Initial Reply Brief and Reply DOM are currently due on or before Monday, 6 July 2015. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Mr. Lancaster's Initial Reply Brief and, if needed, Reply DOM would then be due on or before Thursday, 16 July 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: _____

Stephen P. Groves, Sr., Esquire

SC Bar No. 007854

205 King Street, Suite 400

Charleston, South Carolina 29401

Telephone: 843.720.1725

Telecopier: 843.414.8206

E-Mail: SGroves@nexsenpruet.com

John J. Dodds, III, Esquire

SC Bar No. 001707

CISA & DODDS

858 Lowcountry Boulevard, Suite 101

Mount Pleasant, South Carolina 29464

Telephone: 843.881.6530

E-Mail: john@cisadodds.com

Attorneys for the Appellant

Charleston, South Carolina

2 July 2015

NPCHAR1:1501899.1-APL-(SPG) 053211-00001

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

RECEIVED

JUL 06 2015

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
Appellate Tracking Nos. 2014-001247 and 2014-001763

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

Respondent,

v.

Donald W. Lancaster,

Appellant.

Proof of Service for Extension Motion

Stephen P. Groves, Sr., Esquire
S.C. Bar No. 007854
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206
E-Mail: SGroves@nexsenpruet.com

John J. Dodds, III, Esquire
S.C. Bar No. 001707
CISA & DODDS
858 Lowcountry Boulevard, Suite 101
Mount Pleasant, South Carolina 29464
Telephone: 843.881.6530
E-Mail: john@cisadodds.com

Attorneys for the Appellant

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 2 July 2015, I served a copy of the **Motion for Extension of Time in which to File Initial Reply Brief and Reply 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
Telephone: 843.849.8400
Telecopier: 843.849.8406
E-Mail: jlucey@lucey-law.com
sdrawdy@lucey-law.com

Attorneys for the Respondent

Signed: 
Stephen P. Groves, Sr.

Charleston, South Carolina

2 July 2015

NPCHAR1:1501899.1-APL-(SPG) 053211-00001

NEXSEN | PRUET

Stephen P. Groves, Sr.
Member
Admitted in SC

RECEIVED

JUL 06 2015

SC Court of Appeals

2 July 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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 Reply Brief and Reply DOM** (if necessary) 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 Reply Brief and Reply 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 Reply Brief and Reply 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. By copy of this letter, I am serving the Respondent's counsel with a copy of the referenced documents.

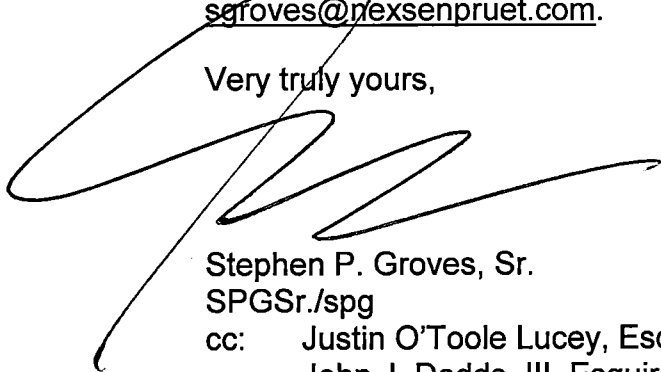
205 King Street
Suite 400 (29401)
PO Box 486
Charleston, SC 29402
www.nexsenpruet.com

T 843.720.1725
F 843.414.8206
E SGroves@nexsenpruet.com
Nexsen Pruet, LLC
Attorneys and Counselors at Law

**Honorable Jenny Abbott Kitchings
Clerk of Court
2 July 2015
Page 2 of 2**

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.

Very truly yours,



Stephen P. Groves, Sr.
SPGSr./spg

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

NPCHAR1:1502149.1-LT-(SPG) 053211-00001

Hasler

07/02/2015

US POSTAGE

\$02.74



ZIP 29402
011D11635

NEXSEN | PRUET

P. O. Box 486
Charleston SC 29402

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED

JUL 06 2015

SC Court of Appeals

53211-1 spg