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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY
COURT OF COMMON PLEAS

HONORABLE MARVIN H. DUKES, III
MASTER IN EQUITY AND SPECIAL CIRCUIT COURT JUDGE

CASE NO.: 2012-CP-07-3290

LINDA S. NEAL and MICHELLE G. DUBBS,

Respondents,

vs.

NANCY C. SMITH, BENJAMIN RAY SMITH, III,
TARA ANN SMITH, the Heirs at Law of BENJAMIN
RAY SMITH, JR.; If living and if not living then the heirs,
devisees or successors of all such persons named above; and
all persons unknown having or claiming to have any right,
title, estate, interest in or lien upon the real property described
in the Complaint herein, being collectively as JOHN DOE and
MARY ROE, including all persons who may be deceased,
Minors, in the Armed Forces of the United States, Non
Compos Mentis and under any other disability,

Defendants

OF WHOM NANCY C. SMITH IS THE

Appellant.

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

The Appellant would respectfully request an extension of time within which to file the

Initial Brief and Designation of Matter to be Included in the Record on Appeal. The Appellant is in need of a thirty (30) day extension of time in which to file the Initial Brief and Designation of Matter.

This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondents.

It is accordingly respectfully requested that the Appellant be granted a thirty (30) day extension of time to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully submitted,

MOSS, KUHN & FLEMING, P.A.

By: 

H. Fred Kuhn, Jr.
1501 North Street
Post Office Drawer 507
Beaufort, South Carolina 29901
(843)524-3373 - telephone
(843)524-1302 - facsimile
ATTORNEYS FOR APPELLANT

July 8, 2015

CERTIFICATE OF SERVICE

Undersigned certifies that the Notice of Motion and Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in Record on Appeal, to which this certificate is affixed, was served upon the party (s) to this action by hand delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

James J. Wegmann, Esquire
Mikell, Weidner, Wegmann & Harper, LLC
6 Professional Village Circle
Beaufort, South Carolina 29907

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in a post office or official depository under the exclusive care and custody of the United States Postal Service, on July 8, 2015.

MOSS, KUHN & FLEMING, P.A.

By: 
Sue Radford

LAW OFFICES

MOSS, KUHN & FLEMING, P.A.

JAMES H. MOSS
H. FRED KUHN, JR.
CORY H. FLEMING*

1501 North Street P.O. Drawer 507 - Beaufort, South Carolina 29901-0507
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KIMBERLY L. SMITH

*ALSO MEMBER OF GA BAR

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July 8, 2015

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

RE: Linda S. Neal and Michelle S. Dubbs v. Nancy C. Smith, Benjamin Ray Smith, III, Tara Ann Smith, the Heirs at Law of Benjamin Ray Smith, Jr., et al.
Case No.: 2012-CP-07-3290
Appellate Case No.: 2015-001263

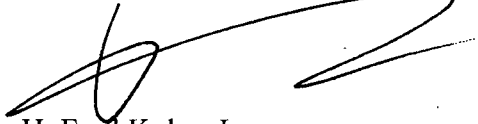
Dear Mrs. Kitchings:

Enclosed please find the original and seven (7) copies of the Appellants' Motion for Extension of Time to File Initial Brief and Record on Appeal regarding the above-referenced matter along with my firm's check in the amount of \$25.00 for the filing of the same. I would appreciate your returning one (1) filed copy to me in the enclosed self-addressed stamped envelope. By copy of this letter I am serving a copy of the motion on James J. Wegmann, Esquire.

With kindest regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.



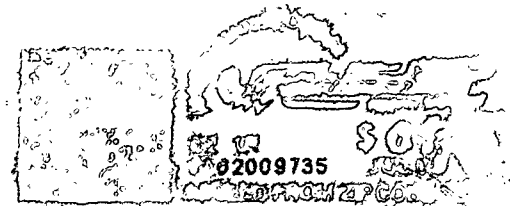
H. Fred Kuhn, Jr.

HFkjrsr
Enclosures

cc: James J. Wegmann, Esquire (w/enclosure)

MOSS, KUHN & FLEMING, P.A.

1501 NORTH STREET
P.O. DRAWER 507
BEAUFORT, SC 29901-0507



FIRST CLASS MAIL

MOSS, KUHN & FLEMING, P.A.

HAC

ATTORNEYS AT LAW
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(843) 524-3373

N. Smith

To:

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

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