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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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JUL 17 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 No. 2012-CP-40-6974

S. Coley Brown,.....Appellant,

v.

Spring Valley Homeowners Association, Inc.....Respondent.

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

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

Appellant hereby moves pursuant to Rule 263(b), SCACR, for an extension to August 4, 2015, of the time in which to serve and file Appellant's Initial Reply Brief and any accompanying designation of matter to be included in the record on appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

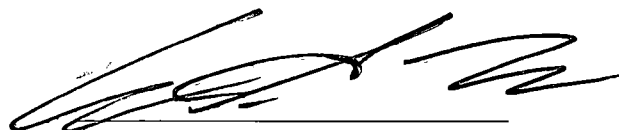
1. The Respondent served its initial brief on June 29, 2015; however, because the undersigned's office was closed on Friday, July 3 for the July 4 holiday and likely due to the decreasing speed of average United States mail delivery, the undersigned did not actually receive that brief until July 6, 2015.
2. This is the second extension sought by the Appellant of this deadline. Absent an absolute emergency, the Appellant will not seek any other extension of this deadline.
3. The Respondent consents to this extension, as shown by the email exchange attached hereto.
4. The Respondent's brief is 50 pages long. As noted in the first motion for an extension of this deadline, that means that it will take some time for the undersigned to read and digest the brief, read and digest authorities cited in the brief, and then draft a reply brief.
5. The undersigned believes that process will take longer to complete than will allow it to be finished by July 20, the present deadline.
6. The Respondent's brief introduces arguments based on cases and reasoning that were not discussed below, and the undersigned needs

additional time to read and digest these authorities and to draft a reply brief worthy of this court's consideration.

7. Further, the Appellant seeks for this extension to be to August 4, 2015, in light of the following:
 - a. The undersigned has a deadline to submit a petition for certiorari on this coming Monday, July 20;
 - b. The undersigned also has a deadline to serve a motion to reconsider on this coming Monday, July 20;
 - c. The undersigned has a trial scheduled for this coming Wednesday, July 22;
 - d. The undersigned has a motion hearing that will keep him away from the office for most of the day on July 23;
 - e. The undersigned has longstanding plans to visit family out of town from July 24 through 26;
 - f. The undersigned has a motion hearing scheduled for July 27; and
 - g. The undersigned has a trial scheduled for July 29.
8. The work associated with preparing for these deadlines and events will necessarily reduce the time available for the undersigned to work on the reply brief in this case, a case that presents a novel issue that warrants well-crafted briefs by all involved.
9. Appellant's counsel believes there is good cause to grant the requested extension to August 4, 2015.

WHEREFORE Appellant prays for an Order extending the time in which to serve and file Appellant's Initial Reply Brief and any accompanying designation of matter to be included in the record on appeal to August 4, 2015.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', written over a horizontal line.

Andrew S. Radeker
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Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

July 17, 2015

Drew Radeker

From: Ely Grote <eog@brownandbrehmer.com>
Sent: Thursday, July 16, 2015 2:56 PM
To: Drew Radeker
Subject: RE: Brown v. Spring Valley HOA

I am fine with an additional extension.

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

From: Drew Radeker [mailto:Drew@harrisonfirm.com]
Sent: Thursday, July 16, 2015 12:24 PM
To: Ely Grote
Subject: RE: Brown v. Spring Valley HOA

Ely, I've started reading all the authorities cited in your brief and am getting through them, but it may have been a little ambitious of me to think that Monday is a realistic deadline to get this reply brief done. Would you consent to an extension of that deadline through August 4? You've written a whopper of a brief, man.

Let me know. Thank you.

Drew Radeker

HARRISON & RADEKER, P.A.

ATTORNEYS AT LAW

*Real Estate / Property Disputes · Foreclosure · Media Law · Zoning · Criminal Defense · Appeals
Personal Injury · Consumer Law · Mediation/Arbitration · False Arrest · Commercial Litigation*

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From: Ely Grote [mailto:eog@brownandbrehmer.com]
Sent: Monday, July 6, 2015 4:58 PM
To: Drew Radeker
Subject: RE: Brown v. Spring Valley HOA

That is fine with me.

Ely O. Grote

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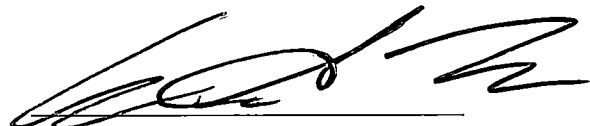
PROOF OF SERVICE

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:

Ely O. Grote, Esq.
Brown & Brehmer
P.O. Box 7966
Columbia, SC 29202

Charles A. Krawczyk, Esq.
Finkel Law Firm LLC
P.O. Box 1799
Columbia, SC 29202

July 17, 2015



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(803) 779-2211
(803) 779-6700 (FAX)

* Mediator/Arbitrator

July 17, 2015

VIA HAND DELIVERY

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

Re: S. Coley Brown v. Spring Valley Homeowners Association, Inc.
Appellate Case No. 2014-002587

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and seven copies of a motion for extension of time, with attached proof of service thereof. Also enclosed is this firm's check in the amount of \$25.00 as the motion fee.

Kindly file these documents and return a file-stamped copy to the bearer of this letter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: Ely O. Grote, Esq.
Charles A. Krawczyk, Esq.