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**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

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JUL 27 2015

SC Court of Appeals

Appeal from Dorchester County
Court of Common Pleas

Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2015-000058
Trial Court Case No. 2013-CP-18-00735

William McFarland and Jennifer McFarland,

Appellants/Respondents,

v.

Mansour Rashtchian and Amy Rashtchian,

Respondents/Appellants.

**MOTION FOR EXTENSION OF TIME REGARDING
INITIAL RESPONDENTS' BRIEF
OF APPELLANTS/RESPONDENTS
AND DESIGNATION OF MATTER**

YOUNG CLEMENT RIVERS, LLP

Stephen L. Brown (SC Bar No. 66468)

Russell G. Hines (SC Bar No. 72100)

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Appellants/Respondents

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA
COURT OF APPEALS

COME NOW Appellants/Respondents William McFarland and Jennifer McFarland (“Primary Appellants”), by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move this Honorable Court for an extension of thirty (30) days’ time to serve and file Primary Appellants’ initial respondents’ brief, i.e., their brief responding to the initial appellants’ brief of Respondents/Appellants Mansour Rashtchian and Amy Rashtchian (“Secondary Appellants”), and Primary Appellants’ corresponding designation of matter to be included in the record on appeal.

Secondary Appellants’ served their initial appellants’ brief on June 24, 2015, which, in accordance with Rule 208(a)(2), SCACR, would appear to make Primary Appellants’ initial respondents’ brief due thirty (30) days later, i.e., today, July 24, 2015.¹ Primary Appellants did not serve their initial appellants’ brief until July 7, 2015, which, in accordance with Rule 208(a)(2), would appear to make Secondary Appellants’ initial respondents’

¹ By letter dated July 6, 2015, the Court alerted Secondary Appellants of certain matter pertaining to their initial appellants’ brief that needed to be addressed. By order filed July 16, 2015, the Court accepted Secondary Appellants’ initial appellants’ brief as filed.

brief due thirty (30) days later, i.e., on August 6, 2015.²

Because this is a cross-appeal, however, Primary Appellants are somewhat unsure about whether initial respondents' briefing deadlines for the parties are to be determined separately, based upon the date of service of the initial appellants' brief to which a respondents' brief is being filed, or if the initial respondents' briefing deadline is to be the same for all parties, determined in reference to the last-served initial appellants' brief, which, again, was Primary Appellants' initial appellants brief, served July 7, 2015—or if, perhaps, the timetable is somehow affected by the Court's July 15, 2015, order accepting all parties' initial appellants' briefs as filed. Depending upon the answer to this question, Primary Appellants' initial respondents' brief could be due as early as today, July 24, 2015, if the due date is determined in reference to the June 24, 2015, date of service of Secondary Appellants' initial appellants' brief.

In any event, though, in light of other time demands, Primary Appellants' counsel requests a thirty (30)-day extension of time, running from whatever date is the applicable deadline for Primary Appellants' initial respondents' brief. Primary Appellants' counsel submits that the relief

² In the same July 16, 2015, order accepting Secondary Appellants' initial appellants' brief as filed, the Court also accepted Primary Appellants' initial appellants' briefs as filed.

requested herein is reasonable and consistent with the interests of justice and will work no undue prejudice upon Secondary Appellants.

WHEREFORE, Primary Appellants respectfully request this Honorable Court to grant them a thirty (30)-day extension of time, running from, today, July 24, 2015, or August, 6, 2015, or whatever date is the present deadline, for Primary Appellants to serve and file their initial respondents' brief and corresponding designation of matter. According to Primary Appellants' calculations, were this relief to be granted, the new deadline for their initial respondents' brief/designation of matter would be no sooner than August 24, 2015, i.e., thirty (30) days after July 24, 2015.³ Lastly, Primary Appellants respectfully request that the Court hold the present deadline for their initial respondents' brief/designation of matter in abeyance until it acts upon this motion.

³ The thirtieth (30th) day after July 24, 2014, is actually Saturday, August 23rd, so the deadline would be continued over to the next day, Monday, August 24th. See Rule 263(a), SCACR.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

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Attorneys for Appellants/Respondents

Charleston, South Carolina

Dated: 7/24/15

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Respondents/Appellants.

PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP

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Attorneys for Appellants/Respondents

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants/Respondents above named, do hereby certify that I have served the **MOTION FOR EXTENSION OF TIME REGARDING INITIAL RESPONDENTS' BRIEF OF APPELLANTS/RESPONDENTS AND DESIGNATION OF MATTER** on the above-named Respondents/Appellants by depositing a copy of the same in the United States Mail, postage prepaid, on July 24, 2015, addressed as follows to their counsel of record:

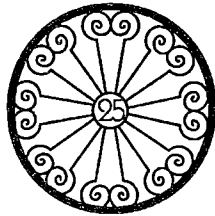
David C. Cleveland, Esquire
Michael L. Leech, Esquire
Clawson & Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, SC 29492-7595

YOUNG CLEMENT RIVERS, LLP

By: 
Russell G. Hines

Charleston, South Carolina

Dated: 7/24/15



YCR LAW

Young Clement Rivers, LLP

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50 YEARS

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Partner

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July 24, 2015

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JUL 27 2015

SC Court of Appeals

Re: William McFarland and Jennifer McFarland v. Mansour Rashtchian and Amy Rashtchian
Appellate Case No.: 2015-000058
Circuit Court Case No.: 2013-CP-18-0735
YCR File: 15508-20150131

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced appeal, please find the original and seven (7) copies of *Motion for Extension of Time Regarding Initial Respondents' Brief of Appellants/Respondents and Designation of Matter*, the original and one (1) copy of a *Proof of Service* regarding the same and a check in the amount of \$25.00 to cover the costs associated with this request.

Kindly file the original and return one court-stamped copy to me using the pre-stamped envelope provided. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Russell G. Hines
Partner

RGH/amj

Enclosures

cc: Michael L. Leech, Esquire, Clawson & Staubes, LLC
David C. Cleveland, Esquire, Clawson & Staubes, LLC

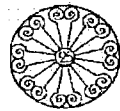
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20150131

Jenny Abbott Kitchings, Clerk of
Court
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