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July 13, 2012

**VIA HAND DELIVERY**

The Honorable Tanya A. Gee  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

**Re: *Boykin Contracting, Inc., Respondent v. K. Wayne Kirby d/b/a Carolina Gold  
Bingo, Appellant***  
**Richland County C/A No.: 2009-CP-40-00179**  
**Case Tracking No.: 2012209067**  
**BPWM File No.: 7-1929.100**

SC COURT OF APPEALS  
JUL 13 2012  
RECEIVED

Dear Ms. Gee:

Please allow this letter to serve as our second request on behalf of the Appellant in the above-referenced case for an extension to file our initial brief. Wednesday, we received the Court's order granting our first request and extending the deadline to this coming Monday, July 16<sup>th</sup>. We also learned Wednesday while attempting to obtain copies of two trial exhibits that the Richland County Clerk's Office could not locate the trial exhibits, and the individuals who can locate the exhibits are on vacation until Monday. For these reasons, we request that the Court grant a two-week extension. With this extension, the new deadline for the Appellant's initial brief would be July 30<sup>th</sup>. Opposing counsel has informed me that he has no objection to this request.

Enclosed with this letter is a check in the amount of twenty-five dollars and a proof of service on opposing counsel. Thank you for your kind assistance. If you have any questions or need anything further from my office, please do not hesitate to call.

Sincerely,  
*E. Wade Mullins, III*  
E. Wade Mullins, III

BCB/gh

cc: Charles H. McDonald, Esquire (via U.S. Mail and e-mail w/ enclosures)  
Mr. Wayne Kirby (via U.S. Mail w/ enclosures)

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM THE RICHLAND COUNTY  
Court Of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

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CIVIL ACTION NO.: 2009-CP-40-0179

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K. Wayne Kirby d/b/a Carolina Gold Bingo, .....Appellant,

vs.

Boykin Contracting, Inc. .... Respondent.

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PROOF OF SERVICE

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I, Nancy Y. Stagg, a Legal Assistant at Bruner, Powell, Wall & Mullins, LLC, attorneys for the Appellant, K. Wayne Kirby, do hereby certify that on the 13<sup>th</sup> day of July, 2012, I served the *Second Time Extension Request for Initial Brief* upon opposing counsel by depositing copy of the same in the U.S. Mail, postage prepaid, and addressed as follows:

Charles H. McDonald, Esquire  
Robinson, McFadden & Moore, PC  
1901 Main Street, Suite 1200  
Columbia, SC 29202  
*Attorneys for Respondent Boykin Contracting, Inc.*

SC Court of Appeals  
JUL 13 2012  
RECEIVED

*Nancy Y. Stagg*  
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Nancy Y. Stagg