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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

RECEIVED
AUG 11 2015
SC Court of Appeals

Appellate Case No. 2014-002020
Circuit Case No. 2011-CP-10-7819

BETTY FISHER Appellant

v.

BESSIE HUCKABEE Respondent

**RESPONDENT'S MOTION TO FILE OUT OF TIME, MOTION FOR EXTENSION OF
(30) DAYS TO RESPOND UNDER RULE 224 SCACR TO APPELLANT'S MOTION TO
STRIKE AND MOTION TO AMEND DESIGNATION OF MATTERS TO BE
INCLUDED IN THE RECORD OF RESPONDENT**

PETER A. KOUTEN, ESQUIRE
PO Box 340
Johns Island, SC 29457
(843) 789-9614; fax (843) 559-3162
pkouten@gmail.com
(Attorney for Respondent as
Personal Representative for the
Estate of Alice Shaw Baker)

COMES NOW Bessie Huckabee, Respondent in the above appeal, pursuant to Rule 234(b), SCACR, and moves for a (30) day extension of time to file Return to Appellant's Motion to Strike, (30) day extension to respond otherwise under Rule 224, SCACR, and Motion to Amend Designation of Matters to Be Included in the Record of Respondent.

On July 22, 2015, Appellants filed their Reply Brief. The Record on Appeal is expected for filing and service on August 23, 2015 pursuant to Rule 210, SCACR. Also on July 22, 2015, Appellants filed Motion to Strike portions of Respondent's Designation of Matters to be Included in the Record. On July 31, 2015, Appellants filed a Motion seeking Extension of Time to File and Serve Record on Appeal, said request being open-ended and taking effect only after the Motion to Strike has been decided.

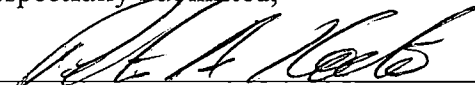
Appellant's Motion to Strike was served by mail with Appellant's Reply Brief. Counsel for Respondent did not take note of the Motion to Strike until he reviewed the Reply Brief of Appellants on August 6, 2015.

Respondent seeks an extension of (30) days and seeks to file out of time as this Motion has been submitted 15 days from the date recorded on Appellant's cover letter and Proof of Service and is 5 days out of time.

Respondent moves for an extension of (30) days from August 1, 2015 in which to respond under Rule 224 SCACR to Appellant's Motion to Strike and Amend her Designation of Matters to be Included in the Record.

WHEREFORE, Respondent prays that this Honorable Court Grant Extension of (30) days from August 1, 2015 in which to respond under Rule 224 SCACR to Appellant's Motion to Strike and Amend her Designation of Matters to be Included in the Record.

Respectfully Submitted,



Peter A. Kouten, Esquire
PO Box 340
Johns Island, SC 29457
pkouten@gmail.com
843-789-9614
Attorney For Respondent

August 6, 2015
Charleston, South Carolina

Counsel Served:

John Hughes Cooper, Esquire
1476 Ben Sawyer Blvd., Ste. 7
Mt. Pleasant, SC 29464

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PROOF OF SERVICE

I certify that I have served the foregoing Respondent's Motion to File Out of Time, Motion for Extension of (30) days to respond under Rule 224 SCACR to Appellant's Motion to Strike and Motion to Amend Designation of Matters to Be Included in the Record of Respondent upon Appellant Betty Fisher by depositing a copy of it in the United States Mail, postage prepaid, on August 6, 2015, addressed to her attorney of record John Hughes Cooper, Esquire, 1476 Ben Sawyer Blvd., Ste. 7, Mt. Pleasant, SC 29464.

Respectfully Submitted,



Peter A. Kouten, Esquire
PO Box 340
Johns Island, SC 29457
pkouten@gmail.com
843-789-9614
Attorney For Respondent