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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

RECEIVED

James B. Jackson, Jr., Special Circuit Judge

SEP 09 2015

SC Court of Appeals

Appellate Case No. 2015-001633
Common Pleas Case No. 2013-CP-38-01427

Newtek Small Business Finance, Inc.,.....Respondent,

v.

Kiritkumar H. Mehta,.....Appellant.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANT'S INITIAL BRIEF AND
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 a 30-day extension of the time in which to serve and file Appellant's Initial Brief and 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 deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal is September 9, 2015.
2. This is the first extension that Appellant has sought in this appeal.
3. Respondent's counsel has consented to this extension, as shown by the attached email messages.
4. August and September have been busy months for Appellant's counsel, who is currently in trial in the Lexington County Court of Common Pleas.
5. Appellant's counsel believes there is good cause to grant the requested 30-day extension to October 9, 2015.

WHEREFORE Appellant prays for an Order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal for thirty days.

[signature next page]

Respectfully submitted,

Andrew S. Radeker

Andrew S. Radeker

(signed w/ special permission by Taylor M. Smith IV, Esquire)

Harrison & Radeker, P.A.

Post Office Box 50143

Columbia, South Carolina 29250

(803) 779-2211

Attorney for Appellant

September 9, 2015

Columbia, South Carolina

Taylor Smith

From: Bryan D. Caskey <bryan@fosterlawoffice.net>
Sent: Tuesday, September 8, 2015 8:21 PM
To: Jim Harrison
Cc: Drew Radeker; Taylor Smith
Subject: RE: Newtek/Mehta Appeal

Drew may certainly have an extension.

Bryan D. Caskey
Foster Law Office, LLC
3100 Devine Street
Columbia, SC 29205
(803) 400-1921
(803) 400-1951 Facsimile
bryan@fosterlawoffice.net

----- Original message -----

From: Jim Harrison <Jim@harrisonfirm.com>
Date: 9/8/2015 7:08 PM (GMT-05:00)
To: Bryan Caskey <bryan@fosterlawoffice.net>
Cc: Drew Radeker <Drew@harrisonfirm.com>, Taylor Smith <Taylor@harrisonfirm.com>
Subject: Newtek/Mehta Appeal

Bryan: Drew has been in trial today in Lexington and will be tomorrow. Our brief in this case is due tomorrow in the Court of Appeals. We will be moving for an extension. Will you consent to an extension for Drew to file his necessary documents? If so kindly reply affirmatively to this email and I will include it in our motion. I apologize for not having a signature block on this email as I have just replaced my hard drive and apparently will have to re-create this. Thank you and with kind regards. Jim Harrison

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Newtek Small Business Finance, Inc.,.....Respondent,

v.

Kiritkumar H. Mehta,.....Appellant.

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:

Bryan D. Caskey, Esq.
Foster Law Office, LLC
3100 Devine Street
Columbia, SC 29205

September 9, 2015



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

LAW OFFICES
HARRISON & RADEKER, P.A.
923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

James C. Harrison, Jr.*
Andrew S. Radeker
Taylor M. Smith IV

* Mediator/Arbitrator

September 9, 2015

P.O. Box 50143
Columbia, SC 29250

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

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SC Court of Appeals

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: Newtek Small Business Finance, Inc. v. Kiritkumar H. Mehta
Appellate Case No. 2015-001633

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. I am filing this motion with the express permission of Mr. Radeker, who is in trial this week in the Lexington County Court of Common Pleas.

Kindly file these documents and return a file-stamped copy to this office with our courier who delivered these documents. 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.



Taylor M. Smith IV

TMS/
Enclosures as stated

cc: Bryan D. Caskey, Esq.