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STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

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Appeal from the Court of Common Pleas
For Charleston County
Honorable J. C. Nicholson, Jr., Circuit Judge
Civil Action Nos.: 2010-CP-10-9096
And 2011-CP-10-8840
Appellate Case Tracking No. 2014-001247

SEP 28 2015

SC Court of Appeals

Frank Gordon, Jr., Individually and as Trustee
of Dorothy S. Gordon (Deceased) Trust,

Respondent,

v.

Donald W. Lancaster,

Appellant.

**Motion for Extension of Time (2nd) To
Serve Record on Appeal**

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Attorneys for the Appellant

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

COMES NOW the Appellant, Donald W. Lancaster ("Mr. Lancaster"), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant him an additional thirty (30) day extension of time in which to serve the Record on Appeal in this appellate matter. The basis for this motion is that Mr. Lancaster's appellate counsel is involved in other appellate and trial matters at this time and need the additional time in which to complete gathering all of the documents included in the Record on Appeal, as well as there have been some difficulty in obtaining copies of some of the documents which have been designated for inclusion in the Record on Appeal.

Based upon the current briefing schedule the Record on Appeal is currently due to be served on or before Friday, 25 September 2015. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Mr. Lancaster would be required to serve the Record on Appeal on or before Monday, 26 October 2015 (as the 30th day falls on Sunday, 25 October 2015). Moreover, Mr. Lancaster anticipates that counsel will likely be able to obtain the missing documents and filed the Record on Appeal well within the requested extension time frame.

Finally, Mr. Lancaster respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this joint motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC

By: 

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Attorneys for the Appellant

Charleston, South Carolina

25 September 2015

NPCHAR1:1626402.1-APL-(SPG) 053211-00001

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Respondent,

v.

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Appellant.

Proof of Service for (2nd) Extension Motion

Stephen P. Groves, Sr., Esquire
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Attorneys for the Appellant

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 25 September 2015, I served a copy of the *Motion for Extension of Time (2nd) in Which to Serve the Record on Appeal* submitted by the Appellant, Donald W. Lancaster, on counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows:

Justin O'Toole Lucey, Esquire
Stephanie L. Drawdy, Esquire
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
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Telephone: 843.849.8400
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Attorneys for the Respondent

Signed: _____

Stephen P. Groves, Sr.

Charleston, South Carolina

25 September 2015

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RECEIVED
Stephen P. Groves, Sr.
Member
Admitted in SEP 28 2015
SC Court of Appeals

25 September 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust v Donald W. Lancaster

Appeal from the Charleston County
Court of Common Pleas

Case Action No.: 2011-CP-10-8840
Appellate Case Tracking No.: **2014-001247**
Case Action No.: 2010-CP-10-9096
Appellate Case Tracking No.: **2014-001763**
(Consolidated Cases)
NP File No.: 053211-00001

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of a Motion for Extension of Time (2nd) in Which to Serve the Record on Appeal in the above-referenced consolidated appellate matters. I also enclose a Proof of Service indicating service of the Motion for Extension of Time (2nd) in Which to Serve the Record on Appeal and the Proof of Service upon counsel for the Respondent. Finally, I enclose our firm check in the amount of \$25.00 as payment for the filing fee.

I would greatly appreciate you filing the Motion for Extension of Time (2nd) in Which to Serve the Record on Appeal and the Proof of Service with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addresses, stamped envelope. By copy of this letter, I am serving the Respondent's counsel with a copy of the referenced documents.

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Nexsen Pruet, LLC
Attorneys and Counselors at Law

Honorable Jenny Abbott Kitchings
Clerk of Court
25 September 2015
Page 2 of 2

If you need anything else or I otherwise may be of any assistance to you or to the Court of Appeals regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is sgroves@nexsenpruet.com.

Very truly yours,



Stephen P. Groves, Sr.
SPGSr./spg

cc: Justin O'Toole Lucey, Esquire/Stephanie D. Drawdy, Esquire
John J. Dodds, III, Esquire
Mr. Donald Lancaster

NPCHAR1:1626395.1-LT-(SPG) 053211-00001

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09/25/15
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