

65453

HENRY C. JENNINGS 1891-1978
ROBERT D. JENNINGS 1934-2011

JENNINGS & JENNINGS, P.A.

ATTORNEYS AT LAW
POST OFFICE BOX 106

BISHOPVILLE, SOUTH CAROLINA 29010-0106

JACOB H. JENNINGS
S. BRYAN DOBY
WILLIAM W. WHEELER, III

TELEPHONE

(803) 484-5454

FAX (803) 484-6044

1 COURTHOUSE SQUARE

September 4, 2012

RECEIVED

SEP 05 2012

SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Cecil L. Josey, Jr. Vs. Stanley D. Josey, et al
Tracking No. 2011197626
Our File No. 08-3304

Dear Ms. Kitchings:

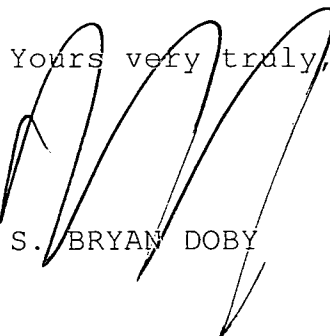
The Appellant filed his Notice of Appeal on August 16, 2011. The Appellant's initial brief and designations were served on July 30, 2012, and thus the Respondent, Cecil L. Josey, Jr.'s, initial brief and designations originally were due on August 29, 2012, which was extended until September 29, 2012. However, the Appellant has filed a Petition for Supersedeas, and the Court has requested that we file a Return to the petition within 10 days (due date is September 10), and advised us that the briefing schedule is held in abeyance.

I am respectfully requesting that the Court grant an extension for filing and serving the Return until the September 29th due date for the Respondent's brief. The Respondent, Cecil L. Josey, Jr., seeks the opportunity to submit his initial brief with his Return to the Petition. This Respondent would allege that since this appeal has been pending for over one year before a Motion for Supersedeas was filed, an extension for responding until September 29, 2012 would not cause prejudice to the Appellant. In the alternative, the Respondents would request a 10-day extension to submit a Return for the reason that additional time is needed since the Respondents' Counsel did not receive the Petition until August 30th. I am enclosing the

Honorable Jenny Abbott Kitchings
September 4, 2012
Page 2

\$25.00 motion fee, and by copy of this letter, I also am
advising Other Counsel of Record of this request.

With thanks for your consideration and cooperation in this
regard, I am

Yours very truly,

S. BRYAN DOBY

SBD/ca
Enc.

CC/ Mr. Blake A. Hewitt
Mr. Patrick M. Killen
Ms. Deborah H. Sheffield
Mr. Daniel W. Stacy, Jr.

RECEIVED
SEP 05 2012

SC Court of Appeals