

776602

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

OCT 23 2015

SC Court of Appeals

James B. Jackson, Jr., Special Circuit Judge

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 OUT OF TIME TO SERVE AND FILE  
APPELLANT'S INITIAL BRIEF AND  
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

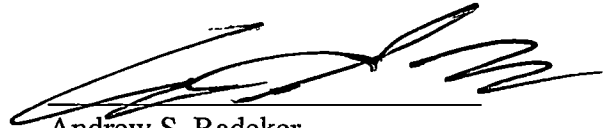
Andrew S. Radeker  
S.C. Bar No. 73743  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

Appellant hereby moves pursuant to Rule 263(b), SCACR, for an extension through today, October 23, 2015, 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. Appellant previously sought a short, second extension of this deadline to this past Monday, October 19.
2. Appellant's counsel, however, aggravated an old back injury and has had a week exceptionally full of distractions, preventing the timely completion of the brief by that time.
3. Respondent's counsel has consented to this extension, as shown by the attached email message. Respondent's counsel knew better than the undersigned how long it would take to complete the brief. The undersigned is most grateful to Respondent's counsel, who has been a most gracious adversary.
4. This appeal has not been long-lived and is actually proceeding more quickly than a typical appeal, in the undersigned's experience.
5. Appellant's counsel believes there is good cause to grant the requested extension to today, October 23, 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 to October 23, 2015.

Respectfully submitted,



Andrew S. Radeker  
S.C. Bar No. 73743  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

23  
October 9, 2015

## Drew Radeker

---

**From:** Bryan Caskey <bryan@fosterlawoffice.net>  
**Sent:** Monday, October 19, 2015 8:05 PM  
**To:** Drew Radeker  
**Subject:** RE: Newtek vs. Mehta

Hope you feel better soon. Extension granted through Friday. Let me know if you need more time.

**Bryan D. Caskey**  
Foster Law Office, LLC

---

**From:** Drew Radeker [mailto:Drew@harrisonfirm.com]  
**Sent:** Monday, October 19, 2015 6:43 PM  
**To:** Bryan D. Caskey <bryan@fosterlawoffice.net>  
**Subject:** RE: Newtek vs. Mehta

Bryan:

I aggravated an old back injury this weekend that kept me from working on this brief Sunday like I thought I would. I'm drafting away now but doubt I'll be able to finish it tonight. I'm planning on submitting the brief and designation tomorrow with a motion for an extension through tomorrow. I know you had said that I could have as much time as I like, but if you could just confirm that you consent to such an extension, I would greatly appreciate that.

Again, please let me know what I can do to help with your parents' situation. I ought to have the back in ordinary working order in a day or two and will be happy to help.

Thank you.

Drew Radeker

### **HARRISON & RADEKER, P.A.**

ATTORNEYS AT LAW

*Real Estate / Property Disputes · Foreclosure · Media Law · Zoning · Criminal Defense · Appeals  
Personal Injury · Consumer Law · Mediation/Arbitration · False Arrest · Commercial Litigation*

923 Calhoun Street, Columbia, South Carolina 29201  
Post Office Box 50143, Columbia, South Carolina 29250  
Telephone: (803) 779-2211  
Facsimile: (803) 779-6700  
<http://www.harrisonfirm.com/>

*This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (803) 779-2211 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.) Thank you.*

---

**From:** Drew Radeker  
**Sent:** Friday, October 9, 2015 12:29 PM  
**To:** 'Bryan D. Caskey' <bryan@fosterlawoffice.net>  
**Subject:** RE: Newtek vs. Mehta

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

James B. Jackson, Jr., Special Circuit Judge

---

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

---

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

v.

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

---

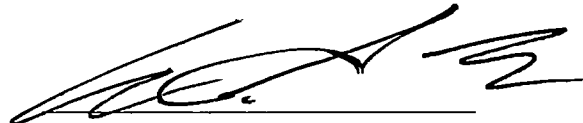
PROOF OF SERVICE

---

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

October 23, 2015



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