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In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

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NOV 09 2015

Marvin H. Dukes, III, Master-in-Equity

SC Court of Appeals

Case No. 2014-001747

Joseph C. Sun,

Appellant,

v.

Marshall L. Horton and Richard Ulbrich,

Respondents.

MOTION TO FILE OUT OF TIME, FOR AN EXTENSION TO FILE FINAL BRIEF OF
RESPONDENT AND TO FILE A SUPPLEMENTAL RECORD ON APPEAL

The Respondents in this above referenced action, Marshall L. Horton and Richard Ulbrich, by and through their undersigned counsel, hereby files this Motion to File Final Brief Out of Time, for an Extension of the deadline for filing and serving their final brief and to file a Supplemental Record of Appeal. Pursuant to Rule 240, SCACR, the Appellant respectfully moves for an extension of time of 10 days from the date of this motion.

In support of this Motion to File Final Brief Out of Time, for an Extension of the deadline for filing and to file a Supplemental Record of Appeal the Respondents state the following:

1. The current deadline to file the Final Brief of Respondents is unknown to Respondents as they were not served with the Record on Appeal which triggers the

deadline of Respondents' brief. Respondents have since obtained the Record on Appeal via the Court of Appeal's website and have submitted their brief for binding. Thus, the Respondents' brief should be ready by Friday, November 6, 2015 to send to the Court for filing.

2. Appellant is pro se and the Court has allowed a number of irregularities from him in this matter. In any regard, Respondents were never served with the documents that would have triggered any deadline, hence they had no knowledge of the deadline.

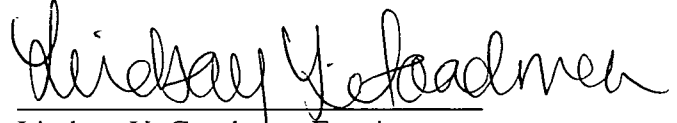
3. Respondents also request to file a supplemental Record on Appeal as Appellant did not include all that was designated by Respondents to include in the Record on Appeal. Respondents have had this printed and have sent it to be bound. This should also be ready by Friday, November 6, 2015 to send to the Court for filing.

4. This Motion is made in good faith and not for purposes of delay.

WHEREFORE, Respondents respectfully request that the Court grant this Motion and order the extension of time requested, to allow the Respondents to file their brief out of time and to file a Supplemental Record on Appeal.

Respectfully Submitted,

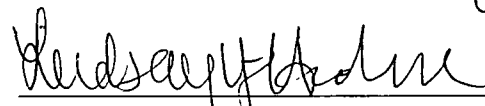
HORTON LAW FIRM, LLC



Lindsay Y. Goodman, Esquire
49 Boundary Street, 2nd Floor
Post Office Box 3766
Bluffton, South Carolina 29910
(843) 757-6190

ATTORNEYS FOR THE RESPONDENT
RICHARD ULBRICH

GALVIN LAW GROUP, INC.



*on behalf of
Gregory M.
Galvin*

Gregory Michael Galvin, Esq.
Galvin Law Group, Inc.
P.O. Box 887 (mailing)
14 Westbury Park Way, Suite 104 (physical)
Bluffton, SC 29910
843-227-2231

ATTORNEYS FOR THE RESPONDENT
MARSHALL L. HORTON

Bluffton, South Carolina
This 5th day of November, 2015

THE HORTON LAW FIRM, L.L.C.

PHYSICAL ADDRESS

49 BOUNDARY STREET, 2ND FLOOR
BLUFFTON, SOUTH CAROLINA 29910

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MARSHALL L. HORTON
LINDSAY Y. GOODMAN

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NOV 09 2015

SC Court of Appeals

November 6, 2015

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

*Re: Joseph Sun v. Marshall Horton and Richard Ulbrich
Appellate Case No.: 2014-001747*

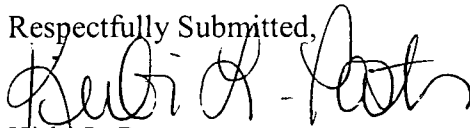
Dear Madam Clerk:

On behalf of both Respondents in the above referenced matter, please let this letter serve as a request to file out of time, a request for extension to file a final brief of respondent and to file a supplemental record of appeal.

I have enclosed the filing fee of \$25.00 required for this request. I have enclosed one (1) unbound original and seven (7) copies. Please file the original and conform the copies. Please return one (1) copy in the self-addressed-stamped-envelope provided.

Thank you for your attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Respectfully Submitted,



Kirby L. Poston
Paralegal

LYG/klp
Enclosures as Stated

cc: Joseph Sun (via Regular U.S. Mail)
Gregory Galvin (via Regular U.S. Mail)

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Case No. 2014-001747

Joseph C. Sun,

Appellant,

v.

Marshall L. Horton and
Richard Ulbrich,


Respondents.

PROOF OF SERVICE

I certify that I have served the Motion to File out of Time, Extension to File Final Brief of Respondent and to File a Supplemental Record on Appeal by depositing a copy of it in the United States Mail, postage prepaid, on November 6, 2015, addressed Joseph Sun. P.O. Box 151, Bluffton, SC 29910 and to Greg Galvin, Esquire, Respondent Horton's attorney addressed to P.O. Box 887, Bluffton, SC 29910

November 6, 2015

HORTON LAW FIRM, LLC



Kirby L. Poston

Paralegal

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Bluffton, South Carolina 29910

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(843) 757-6191 - fax

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Writer's Email Address: lyg@hortonlawfirmllc.com

MARSHALL L. HORTON
LINDSAY Y. GOODMAN

November 6, 2015

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SC Court of Appeals

VIA REGULAR MAIL
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Drawer 11629
Columbia, South Carolina 29211

Re: *Sun v. Horton and Ulbrich*
Appellate Case No.: 2014-001747

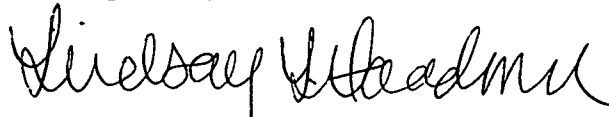
Dear Madam Clerk:

Please find enclosed the original and fifteen (15) copies of the Brief of Respondents and Supplemental Record on Appeal.

Please return a stamped copy of the above referenced documents in the self-addressed, stamped envelope also enclosed.

Thank you for your attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Respectfully,



Lindsay Y. Goodman
Attorney Bar # 100273
Post Office Box 3677
Bluffton, SC 29910
(843) 757-6190
Attorneys for Respondent Ulbrich

LYG/cds
Enclosures

cc: Greg Galvin, Esq. (via Regular U.S. Mail)
Joseph Sun (via Regular U.S. Mail)