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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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NOV 23 2015

APPEAL FROM ORANGEBURG COUNTY  
Edgar W. Dickson, Circuit Court Judge

SC Court of Appeals

Case No. 2011-CP-38-1324

John Fisher, ..... Respondent,

v.

South Carolina Department of Public Safety  
and Russell W. Stewart, ..... Appellants.

**MOTION FOR ADDITIONAL TIME TO HOLD  
APPEAL DEADLINES IN ABEYANCE**

The Appellants South Carolina Department of Public Safety and Russell W. Stewart have previously filed a motion to hold the appeal deadlines in abeyance to allow a tentative settlement to be consummated by the parties. By Order filed September 21, 2015, the Court granted that motion and agreed to hold the appeal

deadlines in abeyance for a period of sixty days. That sixty day period expires on November 20, 2015.

With this motion, the Appellants are requesting additional time. The Appellants believe that a settlement has been reached. In fact, the Respondent, who is now proceeding *pro se*, has signed a Covenant Not to Execute, but the settlement funds have not as yet been tendered because of issues that have arisen regarding how to satisfy the prior attorney's lien and medical provider liens, including a Medicare lien. The Appellants believe that these issues can be worked out but do not wish to dismiss their appeal until they are. Therefore, the Appellants seek additional time to work out the remaining settlement issues.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

BY: 

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ANDREW F. LINDEMANN  
JAMES M. DAVIS, JR.  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

*Counsel for Appellants*

Columbia, South Carolina

November 20, 2015

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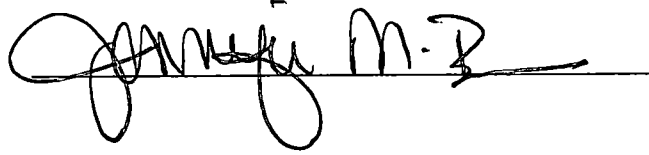
South Carolina Department of Public Safety  
and Russell W. Stewart, ..... Appellants.

CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellants, does hereby certify that service of the **Motion for Additional Time to Hold Appeal Deadlines in Abeyance** in the above-captioned matter was made upon the *pro se* Respondent, John Fisher, and his former counsel, Randolph Murdaugh, IV, Esquire, by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 20th day of November 2015:

Mr. John Fisher  
18 Yenny Lane  
Elloree, South Carolina 29047

Randolph Murdaugh, IV, Esquire  
Peters, Murdaugh, Parker,  
Eltzroth & Detrick, P.A.  
Post Office Box 457  
Hampton, South Carolina 29924-0457

A handwritten signature in black ink, appearing to read "Randolph M. Murdaugh, IV", written over a horizontal line.

DAVIDSON & LINDEMANN, P.A.

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ATTORNEYS AND COUNSELLORS AT LAW

NOV 23 2015

William H. Davidson, II  
Andrew F. Lindemann\*  
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SC Court of Appeals

Daniel C. Plyler  
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David A. DeMasters  
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†Certified Mediator

November 20, 2015

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

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

RE: John Fisher v. South Carolina Department of Public Safety and Russell W. Stewart  
Civil Action Number: 2011-CP-38-1324  
Claim Number: SCL-01996  
Our File Number: 345.8869

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of the **Motion for Additional Time to Hold Appeal Deadlines in Abeyance** in the above referenced matter. Please file the original and return a clocked-in copy to me in the enclosed envelope. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on the *pro se* Plaintiff and his former counsel, Randy Murdaugh.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosures

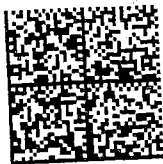
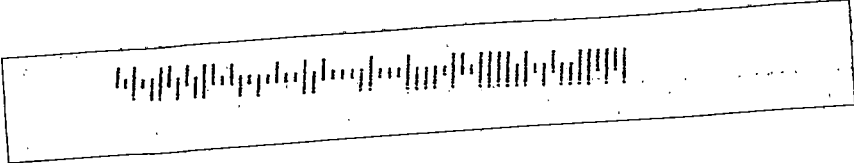
The Honorable Jenny Abbott Kitchings  
November 20, 2015  
Page Two

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cc: (w/ Enclosure)

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**DAVIDSON & LINDEMANN, P.A.**

*Attorneys and Counsellors at Law*

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