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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

DEC 14 2015

SC Court of Appeals

G. Thomas Cooper, Jr., Circuit Judge

Appellate Case No.: 2015-000263

Oak Pointe Homeowners' Association, Inc.,.....Respondent,

v.

Mackenzie E. Peffley,..... Appellant.

MOTION FOR EXTENSION 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
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(803) 779-2211
Attorney for Appellant

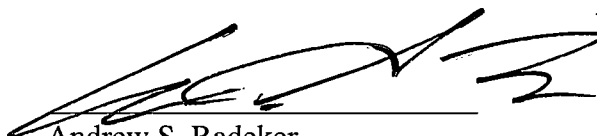
Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 10-day extension of the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal is today, December 14, 2015.
2. Appellant's undersigned counsel had planned on finishing the Appellant's brief in this case yesterday and today; however, he woke up sick yesterday, and this has slowed the pace of his work significantly. Obviously, this was not expected. In light of the drag of illness on the pace of brief-writing, the undersigned needs a few more days to complete the brief.
3. This is the third extension that the undersigned has sought in this appeal. The undersigned has no plans to seek a fourth, and he did not plan to seek this extension.
4. Appellant's counsel seeks a 10-day extension of this deadline, just to be safe. Appellant's counsel hopes that 10 days is more time than is needed.
5. Appellant's counsel believes there is good cause to grant the requested extension.

6. Respondent's counsel consents to this extension, as noted in the email message attached.

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 by 10 days.

Respectfully submitted,



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Attorney for Appellant

December 14, 2015

Drew Radeker

From: Stephanie Trotter <Stephanie.Trotter@mccabetrotter.com>
Sent: Monday, December 14, 2015 12:48 PM
To: Drew Radeker; Joel Deason
Subject: RE: Oak Pointe HOA v. Peffley

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DEC 14 2015

No problem. I consent

From: Drew Radeker [mailto:Drew@harrisonfirm.com]
Sent: Monday, December 14, 2015 10:51 AM
To: Stephanie Trotter; Joel Deason
Subject: RE: Oak Pointe HOA v. Peffley

SC Court of Appeals

Stephanie, Joel:

I hate to ask for your consent to another extension, but I've fallen sick with something I caught off my family. Between the mild fever and the side effects of the medicine, I can barely put this email together. I just can't work at the pace needed to complete this brief today. If you would consent to a 10-day extension, I'd be very appreciative.

Thank you, and I hope all is well for you as we come into Christmastime.

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*

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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: Wednesday, November 18, 2015 12:13 PM
To: 'Stephanie Trotter' <Stephanie.Trotter@mccabetrotter.com>; Joel Deason <Joel.Deason@mccabetrotter.com>
Subject: RE: Oak Pointe HOA v. Peffley

Thank you so much.

Drew Radeker

HARRISON & RADEKER, P.A.

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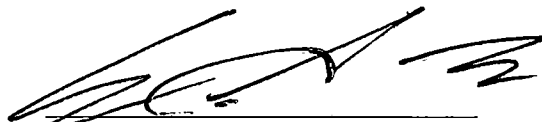
v.

Mackenzie E. Peffley,..... Appellant.

PROOF OF SERVICE

I certify that I served the foregoing motion for extension of time by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Stephanie C. Trotter, Esq.
Joel M. Deason, Esq.
McCabe Trotter & Beverly, PC
P.O. Box 212069
Columbia, SC 29221



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* Mediator/Arbitrator

December 14, 2015

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
1220 Senate Street
Columbia, South Carolina 29201

Re: **Oak Pointe Homeowners' Assn., Inc. v. Mackenzie E. Peffley**
Appellate Case No.: 2015-000263

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and seven copies of a motion for extension of time, with attached proof of service thereof. Also enclosed is this firm's check in the amount of \$25.00 as the motion fee.

Kindly file these documents and return a file-stamped copy to this office in the stamped and addressed envelope enclosed. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: Stephanie C. Trotter, Esq.
Joel M. Deason, Esq.