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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Edgar Warren Dickson, Circuit Court Judge

Case No.: 09-CP-18-111

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SEP 10 2012

SC Court of Appeals

Diane R. Henderson f/k/a Diane M. Reed,

Respondent,

v.

Summerville Ford-Mercury, Inc.
and Capital One Auto Finance, Inc.

of whom Summerville Ford-Mercury, Inc., is the

Appellant.

Motion for Extension of Time

Respondent, Diane R. Henderson, respectfully requests an extension of time to file her initial brief in this matter. The brief would otherwise be due September 10.

This is Respondent's fourth request for an extension of time. Respondent's third request for an extension of time, the first by Respondent's current appellate counsel, was to enable Respondent to obtain the transcript of a prior hearing in this case. The Court granted that Motion by Order of August 15, 2012. The transcript has not yet been prepared. However, Respondent has been in communication with the Court reporter, who states that she received Respondent's

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9/10
10/24

written request on August 10, which would give her until October 9 to complete the transcript. Respondent respectfully requests an extension until 15 days after October 9, i.e., until October 24, 2012.

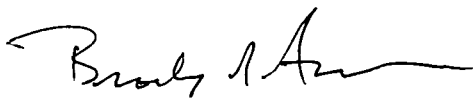
If the Court is amenable, Respondent would further request that the Clerk of Court be authorized to provide additional extensions in the event the Office of Court Administration grants the court reporter additional time to complete the transcript.

Counsel for Respondent has communicated with all counsel in this case, and Capital One has no objection but Summerville Ford-Mercury does.

Respondent respectfully further requests that time be tolled until the Court acts on this motion.

Respectfully submitted,

September 7, 2012



Brooks R. Fudenberg
Law Offices of Brooks R. Fudenberg
1004 Anna Knapp Blvd., Suite 3
Mt. Pleasant, SC 29464
Tel. (843) 416-2558
eFax: (910) 401-1242
BRF@Fudenberglaw.com
Attorney for Respondent

LAW OFFICE OF BROOKS R. FUDENBERG

1004 Anna Knapp Blvd., Suite 3

Mt Pleasant, SC 29464

Tel. (843) 416-2558

BRF@Fudenberglaw.com

September 7, 2012

The Honorable Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Henderson, Diane, Respondent, v. Summerville Ford-Mercury, Inc., Appellant, 2009-CP-18-111

Dear Ms. Kitchings,

Please find enclosed an original and seven (7) copies of Respondent's Motion to Extend Time in this case, and a check in the amount of \$25.00 as the filing fee.

I would ask that you return a stamped copy of each in the enclosed self-addressed envelope.

Yours very truly,



Brooks R. Fudenberg
Attorney for Respondent

cc: Robert Reibold, Esq.
Michael Gruenloh, Esq.
C. Steven Moskos, Esq.

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