

STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM AIKEN COUNTY

Honorable Doyet A. Early, III Circuit Court Judge
Civil Action No.: 2012-CP-02-02382
Appellate Case Tracking No.: 2015-001115

RECEIVED
DEC 14 2015
SC Court of Appeals

Prescott and Sons Construction, LLC

Plaintiff/Respondent

v.

Larry Rogers and Michelle Rogers,

Defendant/Appellant

MOTION FOR EXTENSION TO SERVE AND FILE RESPONDENT'S RETURN AND
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent, by and through its undersigned counsel, respectfully requests a thirty (30) day extension from the date of this motion in which to file Respondent's Return and Designation of Matter to be Included in the Record on Appeal.

Appellants' Initial Brief and Designation of Matter to be Included on Appeal was due to be filed on July 15, 2015. However, on July 7, 2015, Appellants moved for a thirty (30) day extension, which was granted. Despite the extension, and due to circumstances beyond the control of either party, Appellants' Initial Brief and Matter to be Included on Appeal was filed and served on October 14, 2015. There were several months, since Appellants' filing of their Notice of Appeal, were nothing happened in this case, whatsoever.

Since the time of service of Appellants' Initial Brief and Matter to be Included on Appeal, counsel has had two (2) trials, succumb to twice to the flu, and has suffered a major injury to his right knee.

This is the first extension sought by Respondent in this case. This request for an extension is not intended for the purpose of delay, but rather to ensure that Respondent has had an equal amount of time as the Appellants to prepare its Return, and so that undersigned counsel may properly research and prepare Respondent's Return.

WHEREFORE, Respondent prays that the Court extend the current deadline for the filing and service of Respondent's Return and Designation of Matter to be Included on Appeal for thirty (30) days from the date of this motion, and for such other relief as the Court may deem just and proper.



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ATTORNEY FOR APPELLANT

December 9, 2015
Columbia, South Carolina

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SC Court of Appeals

DERIEG LAW FIRM, LLC



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December 9, 2015

M. David Scott
PO Box 948
Lexington, SC 29071

Re: Prescott and Sons, LLC, Respondent v. Larry and Michelle Rogers, Appellants
C/A No.: 2012-CP-02-02382
Appellate Case No.: 2015-001115

Dear Mr. Scott,

Please find enclosed and hereby served upon you Respondent's Motion for an Extension in the above referenced case.

If you have any questions, please contact me at the number above.

Sincerely,

A handwritten signature in black ink, appearing to read "L. P. Derieg". The signature is fluid and cursive, with a large loop at the end.

Lir Patrick Derieg

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DEC 14 2015

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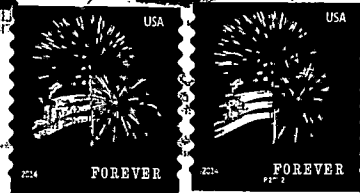
A handwritten signature in black ink, appearing to read "L. P. Derieg".

Lir Patrick Derieg

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