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DEC 29 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Hon. John C. Hayes, III, Circuit Court Judge
Case No. 2015-001053

Marjorie Cato Burton as Trustee of the Sloan Marvin Burton and Marjorie Cato Burton, AB
Living Trust by and through David A. Burton as Attorney-in-Fact, Individually and in the Right and on
Behalf of T.E. Cato Estate, LLC Appellant

v.

Carroll M. Pitts, Jr., Esq., and Robinson Bradshaw & Hinson, P.A. Respondents

NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT'S REPLY BRIEF

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Attorneys for Respondents

Pursuant to SCACR 263(b), counsel for David A. Burton as Successor Trustee of the Sloan Marvin Burton and Marjorie Cato Burton, AB Living Trust, the Appellant in the captioned action, files this motion for extension of time to file the Appellant's Reply Brief for an additional thirty (30) days beyond the current deadline of December 25, 2015. This is Appellant's first request for an extension to file a reply brief. The extension is based upon the following grounds:

1. Respondents' initial brief is fifty-nine (59) pages with new issues raised by the Respondents not previously raised by Appellants. These issues will require a significant investment of time researching and replying to the arguments of Respondents.

2. The Respondents' initial brief was filed at the time of the holidays and Appellants' counsel's personal and professional schedule has prevented counsel from dedicating the necessary time to preparing the Reply brief. Due to existing professional and personal commitments, Counsel does not anticipate being able to prepare and file a Reply brief for thirty (30) days beyond the current deadline. The requested extension would make the new deadline for Appellant's Reply brief due on January 25, 2016.

3. Appellant's motion is made in good faith and not for the purpose of delay. The undersigned does not believe this extension will materially prejudice the Respondents.

Wherefore, Appellant requests this Court grant the requested extension and set the new date for the filing of Appellant's Reply Brief for January 25, 2016.

Respectfully submitted this 24th day of December, 2015.

MBR Law, LLC

By: 

Matthew E. Rosbrugh

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Attorney for Appellant

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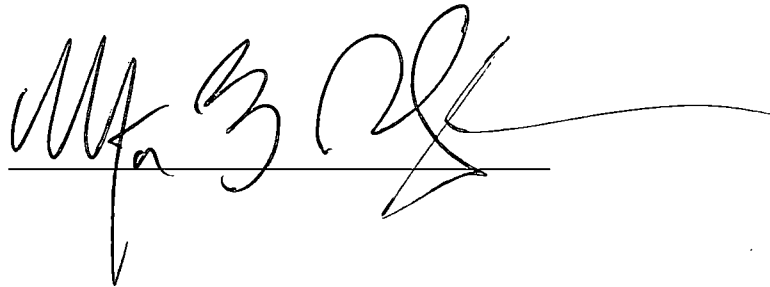
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PROOF OF SERVICE

The undersigned hereby certifies that I have served the **NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S REPLY BRIEF** on counsel for Respondents by depositing a copy of it in the United States Mail, postage prepaid, on December 24, 2015, addressed to their attorneys of record, at Samuel W. Outten, Esq. Nelson Mullins Riley & Scarborough, Poinsett Plaza Suite 900, 104 South Main Street, Greenville SC 29601 and C. Mitchell Brown, Esq., Nelson Mullins Riley & Scarborough, Post Office Box 11070, Columbia, South Carolina 29211.



Columbia, South Carolina
December 24, 2015