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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM SOUTH CAROLINA
Court of Common Pleas

JAN 19 2016

G. Thomas Cooper, Jr., Circuit Court Judge
Trial Court Case No.: 2013-CP-40-03078

SC Court of Appeals

Appellate Case No.: 2015-000740

Clarence S. Gregory, #227394,.....Appellant,

v.

Riley, Pope & Laney, LLC,.....Respondent,

**RESPONDENT’S MOTION FOR EXTENSION OF TIME TO FILE AND
SERVE FINAL BRIEF**

Counsel for the Respondent moves pursuant to Rule 263(b), SCACR, for an extension of time in which to file and serve Respondent’s Final Brief. The grounds for this motion are that there is good cause to grant the requested extension as set forth:

- 1) This is the first request for an extension of this type by Respondent’s counsel;
- 2) Respondent current deadline for filing its Final Brief was January 7, 2016;
- 3) Through an oversight, Respondent’s Final Brief was calendared to be due on January 19, 2016 (using 30 days instead of 20 days from service of the Record on Appeal). The error was not discovered until preparing this motion.
- 4) In preparing the Final Brief, it was further discovered that the copy of the Plaintiff’s Complaint at issue in this case did not include the filed “Affidavit

of Service By Via [sic] U.S. Mail” dated and sworn to on May 15, 2013 upon which Respondent’s statute of limitation argument relies. Respondent has filed and served contemporaneously herewith a Motion to Supplement the Record on Appeal to include the omitted document.

WHEREFORE Respondent’s counsel prays for an Order extending the time in which to file and serve Respondent’s Final Brief by ten (10) days from the date the Court rules upon the Motion to Supplement the Record on Appeal.

RILEY, POPE & LANEY, LLC



DAMON C. WLODARCZYK

P.O. Box 11412

Columbia, South Carolina 29211

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Counsel for the Respondent

Columbia, South Carolina
January 19, 2016

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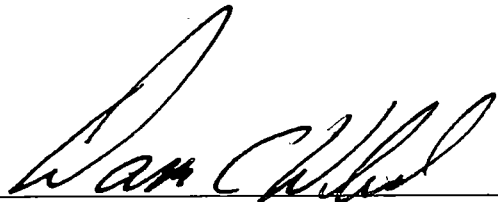
v.

Riley, Pope & Laney, LLC,.....Respondent,

CERTIFICATE OF SERVICE

This is to certify that I have this day caused to be served upon the person named below the attached **Respondent's Motion for an Extension of Time to File and Serve Final Brief** in the above-captioned matter via United States mail, first-class postage prepaid, to the following individuals:

Clarence S. Gregory, Inmate #227394
Broad River Correctional Institution
Murray Unit, B-Wing Room 234
4460 Broad River Road
Columbia, South Carolina 29210-4012



Damon C. Włodarczyk

Columbia, SC
January 19, 2016

RILEY POPE & LANEY, LLC
ATTORNEYS AND COUNSELORS AT LAW

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January 19, 2016

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SC Court of Appeals

(VIA HAND DELIVERY)
The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: Clarence S. Gregory, #227394 v. Riley Pope & Laney, LLC
Appellate Case No.: 2015-000740
Our File: 5052.00713

Dear Clerk:

Please find enclosed for filing the original and seven (7) copies of each of the following motions along with proof of service:

Respondent's Motion for Extension of Time to File and Serve Final Brief;

Respondent's Notice of Deficiency of Record on Appeal and Motion to File a Supplemental Record on Appeal.

Please return one filed, clocked copy of each to me with my courier. Also included is my firm's check in the amount of \$50.00 to cover the filing fees. Please do not hesitate to contact me with questions.

Thank you for your kind assistance in this matter.

Very truly yours,



Damon C. Włodarczyk

DCW/

Enclosures

cc: Clarence S. Gregory, #227394