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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE JASPER COUNTY
Court of Common Pleas

Darrell Thomas Johnson, Special Referee

RECEIVED

FEB 08 2016

SC Court of Appeals

Case No.: 2008-CP-27-151

C.E. Lowther, Jr., Clayton Clark Lowther,
Mitchell S. Lowther and Effie Sandra Turpin,

Respondents

v.

E. Legrand Lowther,

Appellant.

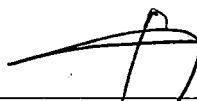
NOTICE OF MOTION AND MOTION FOR EXTENSION
OF TIME TO FILE APPELLANT'S INITIAL BRIEF AND DESIGNATION
OF MATTER TO BE INCLUDED IN APPEAL

The Appellant would respectfully request an extension of time within which to file the Initial Brief of the Appellant and the Appellant's Designation of Matter to be Included in the Record on Appeal. These matters are currently due to be filed no later than February 5, 2016. The Appellant would respectfully request a thirty (30) day extension of time in which to file the same.

In order to prepare the Initial Brief and Designation, Appellant's counsel will need to review the Court's file. Unfortunately, this file has been misplaced and the Court is in the process of trying to locate it. This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondent.

It is accordingly respectfully requested that the Appellants be granted a thirty (30) day extension of time in which to file the Appellant's Initial Brief and the Appellant's Designation of Matter to be Included in the Record on Appeal.

MOSS, KUHN & FLEMING, P.A.

By:  _____

H. Fred Kuhn, Jr.
1501 North Street
Post Office Drawer 507
Beaufort, South Carolina 29901
(843)524-3373
(843)524-1302- FX

Beaufort, South Carolina
January 7, 2016

Attorneys for Appellant

THE STATE OF SOUTH CAROLINA
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Appellant.

CERTIFICATE OF SERVICE

Undersigned certifies that the Notice of Motion and Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included on Appeal, to which this certificate is affixed, was served upon the party (s) to this action by hand delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

R. Thayer Rivers, Esquire
Post Office Box 668
Ridgeland, South Carolina 29936

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on February 4, 2016.

MOSS, KUHN & FLEMING, P.A.

By: 
Sue Radford

LAW OFFICES

MOSS, KUHN & FLEMING, P.A.

JAMES H. MOSS
H. FRED KUHN, JR.
CORY H. FLEMING*

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KIMBERLY L. SMITH

*ALSO MEMBER OF GA BAR

RECEIVED

FEB 08 2016

SC Court of Appeals

February 4, 2016

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: C.E. Lowther, Jr., Clayton Clark Lowther, Mitchell S. Lowther and Effie Sandra Lowther
v. E. Legrand Lowther
Case No.: 2008-CP-27-151

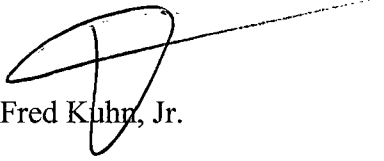
Dear Mrs. Kitchings:

Enclosed please find the original and seven (7) copies of the Appellants' Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in Record on Appeal regarding the above-referenced matter along with my firm's check in the amount of \$25.00 for the filing of the same. I would appreciate your returning one (1) filed copy to me in the enclosed self-addressed stamped envelope. By copy of this letter I am serving a copy of the motion on R. Thayer Rivers, Jr., Esquire, attorney for the Respondents.

With kindest regards, I am

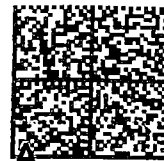
Very truly yours,

MOSS, KUHN & FLEMING, P.A.


H. Fred Kuhn, Jr.

HFKjr:sr
Enclosures

cc: R. Thayer Rivers, Jr., Esquire (w/enclosure)



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MOSS, KUHN & FLEMING, P.A.

HFK

ATTORNEYS AT LAW
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FEB 08 2016 To:
SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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HANDLING BY THE
POSTAL SERVICE**