

78702

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

FEB 16 2016

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2012-CP-23-06209

Case No. 2012-CP-23-06211

Emil P. Kondra, individually,
and as Trustee of Emil P.
Kondra Revocable Trust, Emil
P. Kondra, LLC, Emil P.
Kondra Family Trust, Eileen
Saxton and Douglass E.
Kondra, as Trustees of the
Emil P. Kondra Family Trust,
Douglass E. Kondra, Helen
Perry, and Lawrence F.
D'Alessio,

Respondents,

v.

Robert A. Nitsch and
Veronica G. Nitsch,
Individually, and as Trustees
of the Amended and Restated
Veronica G. Nitsch Revocable
Trust and the Amended and
Restated Robert A. Nitsch
Revocable Trust

Appellants.

John M. Campbell, Jr., Esq.,

Respondents,

v.

Robert A. Nitsch and
Veronica G. Nitsch,
Individually, and as Trustees
of the Amended and Restated
Veronica G. Nitsch Revocable
Trust and the Amended and
Restated Robert A. Nitsch
Revocable Trust

Appellants.

**CONSENT MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

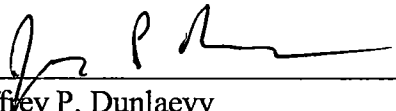
The undersigned counsel respectfully requests an extension in which to file the initial brief of appellants and designation of matter in the above-referenced case. In support of this motion, counsel respectfully submits the following:

1. Appellants served notices of appeal on January 21, 2016, and received the last transcript needed for the Record on Appeal on February 3, 2016.
2. The initial brief of appellants and designation of matter in this case are due to be served and filed with this Court on March 4, 2016.
3. Appellants have not previously sought any extensions of time.
4. Preparation of the initial brief in this matter will involve the review of several transcripts. The undersigned was not involved in any of the proceedings before the trial court. Accordingly, the undersigned counsel respectfully requests an extension of three weeks to ensure all pertinent materials can be reviewed and to allow sufficient time to prepare the initial brief and designation. This extension would move the deadline to Friday, March 25, 2016.
5. Counsel for Respondents consents to this Motion.
6. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel respectfully requests a 21-day extension (through and including March 25, 2016) in which to file the initial brief of

appellants and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellants and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Jeffrey P. Dunlaevy
Stephenson & Murphy, LLC
207 Whitsett Street
Greenville, South Carolina 29601
(864) 370-9400
Attorney for Appellants

February 12, 2016

Other Counsel of Record:

C. Mitchell Brown, Esq.
Meridian, 17th Floor
1320 Main Street
Columbia, SC 29201
Counsel for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2012-CP-23-06209

Case No. 2012-CP-23-06211

RECEIVED
FEB 16 2016
SC Court of Appeals

Emil P. Kondra, individually,
and as Trustee of Emil P.
Kondra Revocable Trust, Emil
P. Kondra, LLC, Emil P.
Kondra Family Trust, Eileen
Saxton and Douglass E.
Kondra, as Trustees of the
Emil P. Kondra Family Trust,
Douglass E. Kondra, Helen
Perry, and Lawrence F.
D'Alessio,

Respondents,

v.

Robert A. Nitsch and
Veronica G. Nitsch,
Individually, and as Trustees
of the Amended and Restated
Veronica G. Nitsch Revocable
Trust and the Amended and
Restated Robert A. Nitsch
Revocable Trust

Appellants.

John M. Campbell, Jr., Esq.,

Respondents,

v.

Robert A. Nitsch and
Veronica G. Nitsch,
Individually, and as Trustees
of the Amended and Restated
Veronica G. Nitsch Revocable
Trust and the Amended and
Restated Robert A. Nitsch
Revocable Trust


Appellants.

PROOF OF SERVICE

I certify that I have served a copy of Appellants' Consent Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in Record on Appeal on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on February 12, 2016, addressed to its attorney of record:

C. Mitchell Brown, Esq.
Meridian, 17th Floor
1320 Main Street
Columbia, SC 29201

Respectfully submitted,



Jeffrey P. Dunlaevy
Stephenson & Murphy, LLC
207 Whitsett Street
Greenville, South Carolina 29601
(864) 370-9400
Attorney for Appellants

February 12, 2016

Other Counsel of Record:

C. Mitchell Brown, Esq.
Meridian, 17th Floor
1320 Main Street
Columbia, SC 29201
Counsel for Respondent

STEPHENSON+MURPHY

ATTORNEYS AT LAW LLC

February 12, 2016

RECEIVED

FEB 16 2016

SC Court of Appeals

Jenny Abbott Kitchings
Clerk of Court
1220 Senate Street
P.O. Box 11629
Columbia, South Carolina 29211

RE: *Emil P. Kondra, Individually, and as Trustee of Emil P. Kondra Revocable Trust, et al v. Robert A. Nitsch, et al*
C.A. No.: 2012-CP-23-06209

John M. Campbell, Jr., Esq. v. Robert A. Nitsch and Veronica G. Nitsch, Individually, and as Trustees of the Amended and Restated Veronica G. Nitsch Revocable Trust, et al
C.A. No.: 2012-CP-23-06211

Appellate Case No.: 2016-000130

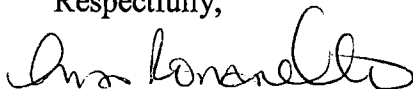
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Appellant's Consent Motion for Extension of Time to File Initial Brief of Appellant and Designation of Matter to Be Included in the Record on Appeal and Certificate of Service regarding the above-referenced case. Also enclosed is our firm's check in the amount of \$25.00 for the filing fee.

Please file the originals and return a file-stamped copy to us in the enclosed self-addressed, and stamped envelope.

Thank you for your assistance in this matter.

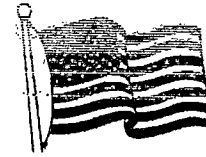
Respectfully,



Lisa Romaniello
Legal Assistant

Enclosures

cc: C. Mitchell Brown, Esq.



STEPHENSON & MURPHY, LLC
207 Whitsett Street
Greenville, SC 29601

108

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

