

78783

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

James B. Jackson, Jr., Special Circuit Judge

Appellate Case No. 2015-001633
Common Pleas Case No. 2013-CP-38-01427

Newtek Small Business Finance, Inc.,.....Respondent,

v.

Kiritkumar H. Mehta,.....Appellant.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANT'S INITIAL REPLY BRIEF AND
ANY ACCOMPANYING DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL

Andrew S. Radeker
S.C. Bar No. 73743
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

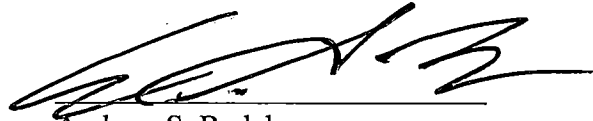
RECEIVED
FEB 25 2016
SC Court of Appeals

Appellant hereby moves pursuant to Rule 263(b), SCACR, for an extension through March 7, 2016 (since March 6 is a Sunday), of the time in which to serve and file Appellant's Initial Reply Brief and any accompanying Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. This is the second extension the Appellant has sought of this deadline.
2. The present deadline is February 25, today. Appellant's counsel has done substantial work on the brief; however, a) he was just retained today on a case that is up for trial next week and b) a hearing has now been set for tomorrow on an emergency basis in another case of his on a motion seeking a temporary injunction. Appellant's counsel cannot realistically both complete the brief today and adequately prepare for these other court events.
3. Respondent's counsel has consented to this extension.
4. Appellant's counsel believes there is good cause to grant the requested 10-day extension to March 7, 2016.

WHEREFORE Appellant prays for an Order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal to March 7, 2016.

Respectfully submitted,



Andrew S. Radeker
S.C. Bar No. 73743
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

February 25, 2016

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

James B. Jackson, Jr., Special Circuit Judge

Appellate Case No. 2015-001633
Common Pleas Case No. 2013-CP-38-01427

RECEIVED

FEB 25 2016

SC Court of Appeals

Newtek Small Business Finance, Inc.,.....Respondent,

v.

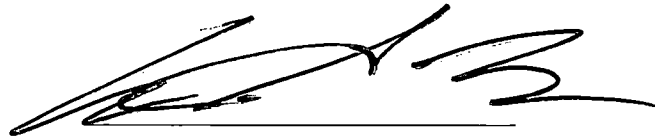
Kiritkumar H. Mehta,.....Appellant.

PROOF OF SERVICE

I certify that I served the foregoing motion for extension by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Bryan D. Caskey, Esq.
Foster Law Office, LLC
3100 Devine Street
Columbia, SC 29205

February 25, 2016



Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

LAW OFFICES
HARRISON & RADEKER, P.A.
923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

James C. Harrison, Jr.*
Andrew S. Radeker
Taylor M. Smith IV

* Mediator/Arbitrator

P.O. Box 50143
Columbia, SC 29250

(803) 779-2211
(803) 779-6700 (FAX)

February 25, 2016

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
1220 Senate Street
Columbia, South Carolina 29201

Re: Newtek Small Business Finance, Inc. v. Kiritkumar H. Mehta
Appellate Case No.: 2015-1633

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and seven copies of a motion for extension, with attached proof of service thereof. Also enclosed is this firm's check in the amount of \$25.00 as the motion fee.

Kindly file these documents and return a file-stamped copy to this office in the stamped and addressed envelope enclosed. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

cc: Bryan D. Caskey, Esq.

RECEIVED

FEB 25 2016

SC Court of Appeals