

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE JASPER COUNTY  
Court of Common Pleas

**RECEIVED**

Darrell Thomas Johnson, Special Referee

MAR 09 2016

**SC Court of Appeals**

Case No.: 2008-CP-27-151

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

Respondents

v.

E. Legrand Lowther,

Appellant.

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

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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 March 7, 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. 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.

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

Beaufort, South Carolina  
March 7, 2016

Attorneys for Appellant

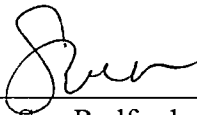
CERTIFICATE OF SERVICE

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 in Record 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, Jr., Esquire  
Post Office Box 668  
Ridgeland, SC 29936

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on March 7, 2016.

MOSS, KUHN & FLEMING, P.A.

By:   
Sue Radford

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MAR 09 2016  
SC Court of Appeals

LAW OFFICES

MOSS, KUHN & FLEMING, P.A.

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KIMBERLY L. SMITH

\*ALSO MEMBER OF GA BAR

March 7, 2016

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MAR 09 2016

SC Court of Appeals

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 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 firms 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)

**MOSS, KUHN & FLEMING, P.A.**

1501 NORTH STREET  
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**FIRST CLASS MAIL**

**MOSS, KUHN & FLEMING, P.A.**

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MAR 09 2015

**SC Court of Appeals**

*HFk*

To:

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

