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IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas

Marvin H. Dukes, III

Master in Equity and Special Circuit Court Judge

Case No. 2011-CP-07-01778

Appellate Case No. 2014-002712

RECEIVED

APR 04 2016

SC Court of Appeals

BENJAMIN GECY, Appellant,

v.

SOUTH CAROLINA BANK & TRUST, JAIME HAMNER and
DEBORAH HAMNER, Respondents.

**NOTICE OF MOTION AND MOTION
(TO EXTEND TIME TO FILE AND SERVE THE
APPELLANT'S FINAL BRIEF)**

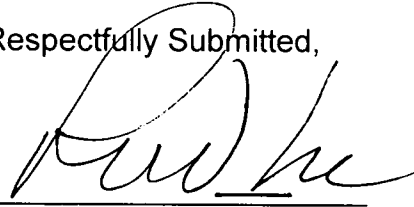
The Appellant, Benjamin Gecy, by and through his undersigned attorney, pursuant to Rule 240, SCACR, moves the Court of Appeals for an order extending the time for the Appellant to file and serve his Final Brief, for one week, through and including Monday, April 11, 2016.

As appears from the Affidavit of the Appellant's counsel, which is attached to this motion, due to illness and other obligations counsel has been delayed in completing the Final Brief, which otherwise would be due on April 4, 2016.

No previous extension with respect to the Final Brief has been sought by the Appellant.

Respectfully Submitted,

By:



Robert V. Mathison, Jr.
S.C. Bar No. 3685
Attorney for the Appellant
Benjamin Gecy

MATHISON & MATHISON
Post Office Box 5271
Hilton Head Island
South Carolina 29938-5271
Telephone: (843) 785-6503
Email: rmathlaw@aol.com

April 1, 2016

Hilton Head Island, South Carolina.

MEMORANDUM

The relief requested in the motion set forth above is authorized by Rule 240, SCACR.

MATHHISON & MATHISON
Post Office Box 5271
Hilton Head Island, SC 29938
Telephone: (843) 785-6503
Email: rmathlaw@aol.com

April 1, 2016

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

RECEIVED
APR 04 2016
SC Court of Appeals

Re: Benjamin Gecy v. South Carolina Bank & Trust, et al.
Case No. 2011-CP-07-01778
Appellate Case No. 2014-002712

Dear Ms. Kitchings:

Due to illness and other obligations, I have not been able to complete the final brief for this appeal, and I am requesting an additional week in order to do so. Accordingly, enclosed for filing are the following:

- (a) Original and six copies of the Notice of Motion and Motion (to Extend Time to File and Serve the Appellant's Final Brief) dated April 1, 2016;
- (b) Original and six copies of my Affidavit bearing the same date; and
- (c) Original Proof of Service.

I have also enclosed our check in the amount of \$25.00 to pay the filing fee.

With kind regards, I am

Sincerely,



Robert V. Mathison, Jr.
S.C Bar No. 3685

RVM:bh

Enclosures

cc: Thomas A. Holloway, Esquire
James J. Wegmann, Esquire
Mr. Benjamin C. Gecy

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SC Court of Appeals

BENJAMIN GECY, Appellant,

v.

SOUTH CAROLINA BANK & TRUST, JAIME HAMNER and
DEBORAH HAMNER, Respondents.

**AFFIDAVIT
(ROBERT V. MATHISON, JR.)**

PERSONALLY appeared before me Robert V. Mathison, Jr. (herein sometimes "the Affiant"), who, first being duly sworn, says under oath the following:

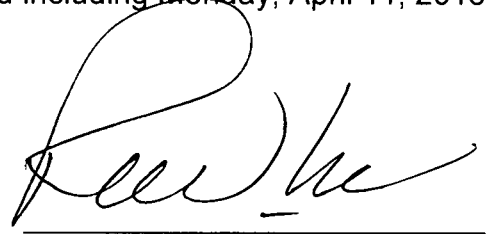
1. My name is Robert V. Mathison, Jr., and I am an attorney licensed to practice law by the State of South Carolina.
2. I am the attorney for the Appellant, Benjamin Gecy in this matter, and I reside at Hilton Head Island in Beaufort County, South Carolina.
3. I am 69 years of age, of sound mind, and I make this Affidavit of my own personal knowledge.
4. I was ill and out of my office for a week commencing on Friday, March 25,

2016, and concluding yesterday, March 31, 2016, at which time I had mandatory court obligations, both yesterday and next Monday.

5. As a consequence, though I have worked diligently, I will not have sufficient time to complete the final brief in this matter, and I will require an additional week within which to do so.

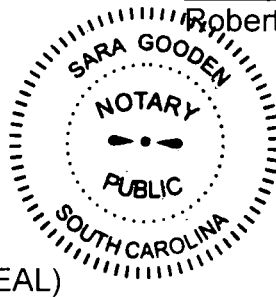
6. The final brief would otherwise have been due on Monday, April 4, 2016, and I am requesting an extension of time through and including Monday, April 11, 2016.

FURTHER THE AFFIANT SAYETH NOT.



Robert V. Mathison, Jr.

SWORN to and Subscribed before me on this 1st Day of April, 2016.



(SEAL)

Notary Public for South Carolina

My Commission Expires: 12/15/2021

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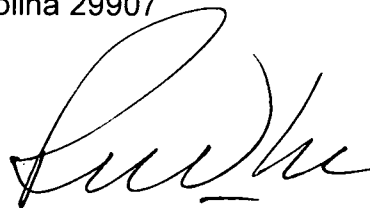
PROOF OF SERVICE

I, Robert V. Mathison, Jr., hereby certify that on April 2, 2016, I filed and served by mail the original and copies of the Appellant's Notice of Motion and Motion to Extend Time to File and Serve Appellant's Final Brief, as well as the Affidavit of Robert V. Mathison, Jr., both of which are dated April 1, 2016, by depositing same, with sufficient first class postage prepaid, at the United States Post Office at Hilton Head Island, South Carolina, addressed as follows:

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

Thomas A. Holloway, Esquire
Harvey & Battey, P.A.
Post Office Box 1107
Beaufort, South Carolina 29901

James J. Wegmann, Esquire
Weidner, Wegmann & Harper, LLC
6 Professional Village Circle
Beaufort, South Carolina 29907



Robert V. Mathison, Jr.
S.C. Bar No. 3685
Attorney for the Appellant
Benjamin Gecy

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Telephone: (843) 785-6503
Email: rmathlaw@aol.com

LAW OFFICES
MATHISON & MATHISON
POST OFFICE BOX 5271
HILTON HEAD ISLAND S.C. 29938-5271



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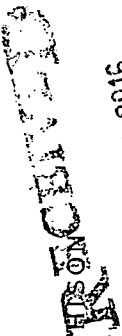
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MATHISON & MATHISON

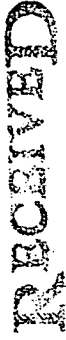
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