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SC Court of Appeals

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Tanya A. Gee, Circuit Court Judge

Case No. 2014-CP-40-03104
Appellate Case No. 2015-002485

Deborah S. Dubose,Appellant,

v.

Ashley C. Cone and Branch Bank & Trust Company, Defendants,

Of whom Ashley C. Cone isRespondent.

**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S INITIAL
BRIEF AND DESIGNATION OF MATTER**

Pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules, Respondent Ashley C. Cone moves this Court for an order granting an extension of thirty (30) days for the Respondent to file and serve his initial brief and designation of matter in the above-captioned appeal. This request is being made due to counsel's present workload and other professional commitments. This is the Respondent's first request for an extension of time.

Respondent's initial brief and designation of matter are currently due on Monday, April 25, 2016. If the motion is granted, Respondent's initial brief and designation of matter will be due on Wednesday, May 25, 2016.

Counsel for the Respondent has consulted with counsel for Appellant, and he has consented to this thirty day extension. A copy of counsels' email exchange, regarding the extension, is attached hereto as **Exhibit A**.



Thornwell F. Sowell
S.C. Bar No. 5197
Bess J. DuRant
S.C. Bar No. 77920
SOWELL GRAY STEPP & LAFFITTE, LLC
Post Office Box 11449
Columbia, South Carolina 29211
(803) 929-1400
Attorneys for Respondent

April 18, 2016

OTHER COUNSEL OF RECORD:

Pope D. Johnson, III, Esquire
Attorney at Law
1230 Richland Street
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and

W. Steven Johnson, Esquire
Arthur E. White, III, Esquire
Todd & Johnson, LLP
P.O. Box 11262
Columbia, SC 29211
803-252-1500
Attorneys for Appellant

Bess DuRant

From: Pope Johnson <pope@popejohnsonlaw.com>
Sent: Saturday, April 16, 2016 4:55 AM
To: Bess DuRant
Subject: Re: Dubose v. Cone

We agree and consent.
Sent from my iPad

On Apr 15, 2016, at 3:58 PM, Bess DuRant <bdurant@sowellgray.com> wrote:

Pope and Artie,

I just left voicemails for you both, but I thought I would resort to an email too.

I'm writing to see if you will kindly consent to a 30 day extension for us to respond to your brief. With the extension, our brief and designation of matter would be due on May 25. Will you please let me know if you consent?

Many thanks-
Bess

<image001.png>

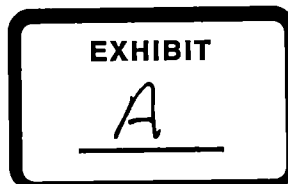
BESS J. DuRANT ATTORNEY VCARD

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PROOF OF SERVICE

I certify that I have caused the service of the Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter on Appellant Deborah S. Dubose by having a copy of it deposited in the United States Mail, postage prepaid, on April 18, 2016, addressed to her attorneys of record, Pope D. Johnson, III, Attorney at Law, 1230 Richland Street, Columbia, South Carolina 29201, and W. Steven Johnson and Arthur E. White, III, Todd & Johnson, LLP, Post Office Box 11262, Columbia, South Carolina 29211.



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Attorneys for Respondent

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BY HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

Re: Deborah S. Dubose v. Ahley C. Cone and Branch Bank & Trust Company
Appellate Case No.: 2015-002485
SGSL No.: 6678/1500

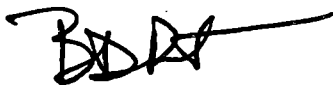
Dear Ms. Kitchings:

Enclosed are an original and seven (7) copies of Respondent's Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter in the above-referenced matter. Please file the original and return a filed-stamped copy to my office by our courier. Also enclosed is a check in the amount of \$25.00 for the filing fee.

By copy of this letter to opposing counsel, I am notifying them of my communication with the Court.

Thank you for your assistance in this matter and please contact me if you have any questions.

Sincerely,



Bess J. DuRant

Enclosures

cc: Pope D. Johnson, III, Esquire (via email and US Mail)
W. Steven Johnson, Esquire (via email and US Mail)
Arthur E. White, III, Esquire (via email and US Mail)

6678/1500

SOWELL **SG** GRAY

Litigation is our Business.

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