

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Letitia H. Verdin, Circuit Court Judge

Case No. 2012-CP-23-3532  
Appellate Case No 2015-001744

RECEIVED

MAY 13 2016

SC Court of Appeals

79554

Check First of Greenville, LLC  
d/b/a Evo Merchant Coop.,

Appellant,

v.

Merchant Services of the  
Upstate, Inc., and Alfred J.  
Pearce, IV,

Respondents.

MOTION FOR EXTENSION OF TIME TO FILE  
DESIGNATION OF MATTER AND INITIAL BRIEF

The Appellant, through its undersigned counsel, respectfully requests a 30-day extension to file the initial appellate documents in the above-referenced appeal.

Counsel understands the Court has granted an extension with the caveat that no further extension will be granted absent extraordinary circumstances. Counsel believes extraordinary circumstances exist warranting an additional extension.

Counsel has spent an extensive amount of time reviewing the record in this matter, which is both lengthy and complex. Counsel has now completed that review but has not discussed specific issues with

the client in this matter. Counsel has contacted client to determine how client wishes to proceed in this matter, but has not received a response at this point.

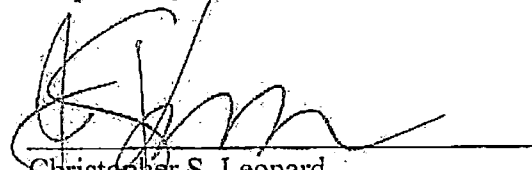
In order to save time and resources, counsel respectfully requests an additional extension in this matter to insure client wishes to proceed with this appeal and insure client's wishes are fulfilled in this important case.

In addition, counsel has just completed a two-day common pleas trial which involved significant preparation and delayed his ability to complete these tasks and complete the appeal by the due date.

Based on counsel's recently completed trial and communication issues with his client, counsel believes these circumstances constitute extraordinary circumstances that would warrant a further extension in this case.

Counsel respectfully moves this Court for a 30-day extension in this matter. The matter is currently due on May 16, 2016. Counsel requests this deadline be extended to June 15, 2016.

Respectfully submitted,



Christopher S. Leonard  
Joshua Snow Kendrick  
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May 13, 2016

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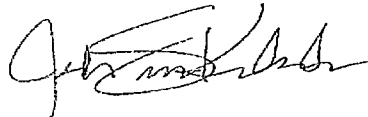
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PROOF OF SERVICE

I certify that I have served the **Motion for Extension of Time to File Designation of Matter and Initial Brief** on The Respondents, by depositing a copy of it in the United States Mail, postage prepaid, on April 8 2016, addressed to his attorney of record, John Read, Esquire, 101 West Park Ave, Greenville, SC 29601.



Joshua Snow Kendrick  
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May 13, 2016