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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

RECEIVED
SEP 17 2012
SC COURT OF APPEALS

APPEAL FROM YORK COUNTY

Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

Case No. 2007-CP-46-0119

J. W. Neal Construction, LLC..... Respondent,

v.

Cornelia Thomas..... Appellant.

**APPELLANT'S MOTION TO EXTEND TIME TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL**

Counsel for the Appellant hereby moves for a two-week extension of time to file Appellant's Initial Brief and Designation of Matters to be included in Record. The Motion is made on the following grounds:

The Notice of Appeal in this case was filed on July 16, 2012. Since the case was arbitrated, there was no transcript of the trial to be ordered. The original date for filing the Appellant's Initial Brief and Designation of Matter to be included in the record was August 13, 2012.

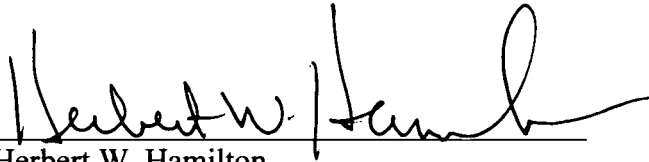
On August 24, 2012, the Court granted Appellant's request for a 30 day extension of time to file the Initial Brief.

On the afternoon of Tuesday, August 28, 2012, Counsel for the Appellant was involved in a significant automobile wreck. The vehicle in which counsel was travelling was totaled. Counsel was transported by ambulance to the emergency room. Counsel was injured but, as it turned out, not seriously.

The accident has disrupted Counsel's schedule and has made completion of the Initial Brief difficult. Counsel respectfully requests a two (2) week extension of time to

file the Initial Brief and Designation. Opposing counsel has been consulted, and he has no objection to this request.

September 12, 2012

A handwritten signature in black ink, appearing to read "Herbert W. Hamilton", written over a horizontal line.

Herbert W. Hamilton
HAMILTON MARTENS & BALLOU, LLC
P.O. Box 10940
Rock Hill, South Carolina 29731
(803) 329-7672
ATTORNEYS FOR APPELLANT
CORNELIA THOMAS

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J. W. Neal Construction, LLC..... Respondent,

v.


Cornelia Thomas..... Appellant

CERTIFICATE OF SERVICE

The undersigned, an employee of Hamilton Martens & Ballou, LLC certifies that the Motion of Cornelia Thomas for Extension of Time to File Respondents' Initial Brief and Designation of Matter to be Included in Record on Appeal was served upon other counsel of record by depositing same in the United States Mail, with sufficient postage affixed and addressed as follows:

John Martin Foster
Attorney at Law
P. O. Box 106
Rock Hill, SC 29731

September 13, 2012



Melia Sweatt

Hamilton Martens & Ballou

ATTORNEYS AT LAW

L. Melia Sweatt
Paralegal
803-329-7672
msweatt@hmandb.com

September 13, 2012

Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

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SEP 17 2012
SC Court of Appeals

RE: *JW Neal Construction, LLC v. Cornelia Thomas*
Case Tracking Number: 2007-CP-46-00119
Our File No.: 10366-001

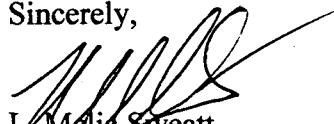
Dear Ms. Kitchings:

Enclosed are the original and seven (7) copies of Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter for Record on Appeal in the above-named matter. Please file the original and return a clocked copy of the same to me in the envelope that I have provided. I have also enclosed my firm's check in the amount of \$25.00 for the filing fee.

By copy of this letter, I am serving the Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter for Record on Appeal upon other counsel of record as evidenced by the enclosed Proof of Service.

Thank you for your assistance in this matter.

Sincerely,



L. Melia Sweatt
Paralegal for the Firm

/lms

Enclosure

cc: John Martin Foster
Attorney at Law
PO Box 106
Rock Hill, SC 29731

Hamilton Martens & Ballou, LLC