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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

RECEIVED

Appellate Case No. 2015-002558

MAY 18 2016

SC Court of Appeals

CHRIS M. DOMNICK,

Respondent,

v.

FRANK LEROY DOMNICK and
SHELLY L. DOMNICK,

Appellants.

MOTION FOR SUBSTITUTION OF COUNSEL
and FOR EXTENSION OF TIME

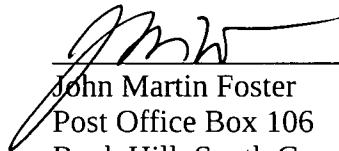
Pursuant to Rules 264, 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel undersigned, move this Court for an order substituting or listing the undersigned as their counsel, and granting him an extension of time in which to file the Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal in the matter above, on the grounds stated below:

1. Present Counsel for the Appellants, John Martin Foster, received the final Court records herein ca. one week prior to the date of this Motion. One reason for this delay in delivery was the attempt of the Circuit Clerk to locate the Trial Exhibits, which had gone missing. This lack of time has prevented counsel from proper preparation of the Appellate pleadings.
2. Mr. Foster, as counsel, is also prevented from filing the Appellants' Initial Brief and Designation of Matter owing to the press of business in his office.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move this Court for an order substituting or listing the undersigned as their counsel, and for an extension of time for a period of thirty (30) days in which to file the Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal..

May 16, 2016



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
(803) 324-8100
Attorneys for Appellants

Other Counsel of Record:

D. Alan Lazenby
Ginger D. Goforth
Lazenby Law Firm, LLC
Post Office Box 6099
Spartanburg, S. C. 29304
Attorneys for Respondent
(864) 804-5050

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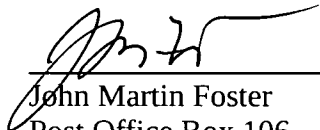
CERTIFICATE OF SERVICE

I certify that I have served the Appellants' Motion for Substitution of Counsel and for Extension of Time dated May 16, 2016, on the following counsel or persons of record:

D. Alan Lazenby
Ginger D. Goforth
Lazenby Law Firm, LLC
Post Office Box 6099
Spartanburg, S. C. 29304

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262(b), S.C.A.C.R.

May 16, 2016



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Appellants

9

JOHN MARTIN FOSTER

Attorney at law

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

May 16, 2016

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

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MAY 18 2016

SC Court of Appeals

Re: Charles M. Domnick, Respondent,
v. Frank Leroy Domnick and Shelly L. Domnick, Appellants
Appeallate Case No. 2015-002558

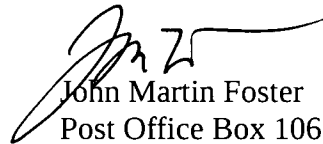
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellants' Motion for Substitution of Counsel and for Extension of Time, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

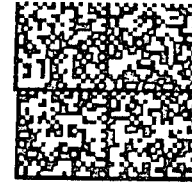
Sincerely,



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
803 324-8100
Attorney for Appellants

jmf/
enclosures

cc: D. Alan Lazenby
Ginger D. Goforth
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Attorneys for Respondent
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John Martin Foster Attorney

223 East Main St Suite 520
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TO:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF THE COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, S.C. 29211

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SC Court of Appeals