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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

JUL 26 2016

APPEAL FROM ORANGEBURG COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE MAITE MURPHY  
CIRCUIT COURT JUDGE

SC Court of Appeals

APPELLATE CASE NO. 2016-001312  
CIVIL ACTION NO. 2014-CP-38-00802 and 2014-CP-38-00803

Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore,

**APPELLANT,**

versus

Green Apple, LLC, doing business as Applebee's, John/Jane Doe, Manager, and Stabler  
L. Inabinet,

**DEFENDANTS,**

Of whom Green Apple, LLC, doing business as Applebee's is the

**RESPONDENT.**

**MOTION FOR EXTENSION OF TIME**

The Initial Brief of Respondent, Green Apple, LLC, doing business as Applebee's, and Designation of Matter to be Included in the Record on Appeal are originally due on August 12, 2016. The Respondents respectfully request the Court to grant a 30-day extension of time, until September 12, 2016, to serve and file the Respondent's Initial Brief and Designation of Matter.

✓

This request is due to Respondent's counsel's workload, which includes an out-of-state inspection pertaining to a circuit court case, as well as numerous depositions pertaining to a circuit court case.

Counsel for Respondents has contacted Appellant's counsel and she consents to this request as evidenced by the attached Exhibit "A."

Accordingly, the Respondents respectfully request an extension of time until September 12, 2016, in which to serve and file their Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal.



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Drew Butler  
Michelle Kelley  
Carmen V. Ganjehsani  
RICHARDSON, PLOWDEN & ROBINSON, PA  
1900 Barnwell Street (29201)  
Post Office Drawer 7788  
Columbia, South Carolina 29202  
(803) 771-4400  
**ATTORNEYS FOR RESPONDENT**

July 26, 2016.

# **EXHIBIT “A”**



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Reply To: Columbia  
[mkelley@richardsonplowden.com](mailto:mkelley@richardsonplowden.com)  
Direct Dial: 803-576-3736

July 25, 2016

**(Via Email to [kbarnes@barneslawfirmssc.com](mailto:kbarnes@barneslawfirmssc.com))**

Kathleen C. Barns, Esquire  
BARNES LAW FIRM, LLC  
P.O. Box 897  
607 2<sup>nd</sup> Street East  
Hampton, SC 29924

Re: *Lindsey Stewart, Personal Representative of the Estate of Shawn Robert Moore v. Green Apple, LLC, d/b/a Applebee's*  
Appellate Case No. 2016-001312  
RPR's File No. 7513-009

Dear Kathleen:

As discussed in our email exchanges on Sunday, July 24, 2016, this letter will confirm that as counsel for Plaintiff/Appellant, you have consented to Respondent's requests for an additional thirty (30) days from August 12, 2016, to serve and file Respondent's Initial Brief and Designation of Matter. Therefore, we will be filing a Motion for Extension of Time, wherein our Brief will be due **on September 12, 2016**.

Thank you for your courtesy in this matter. We would greatly appreciate your acknowledging receipt of this letter and its contents by signing this letter, on the space provided for your signature, and returning it to me via facsimile at (803) 779-0016 and also via email at [mkelley@richardsonplowden.com](mailto:mkelley@richardsonplowden.com).

Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Parsons Kelley".

Michelle Parsons Kelley

MPK/sjl

ACCEPTED AND AGREED:

*Kathleen C. Barnes*

---

By: Kathleen C. Barnes, Esquire  
Counsel for Plaintiff/Appellant

Date: July 25, 2016

**CERTIFICATE OF SERVICE**

I, the undersigned, attorney for Respondent, Green Apple, LLC, doing business as Applebee's, do hereby certify that I have this date served the foregoing Motion for Extension of Time, dated July 26, 2016, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to counsel of record as indicated below:

BARNES LAW FIRM, LLC  
Kathleen Chewing Barnes  
S.C. Bar No. 78854  
[kbarnes@barneslawfirm.com](mailto:kbarnes@barneslawfirm.com)  
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**SC Court of Appeals**

LANIER & BURROUGHS, LLC  
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**ATTORNEYS FOR RESPONDENT**

Dated: July 26, 2016.

Reply To: Columbia  
[mkelley@richardsonplowden.com](mailto:mkelley@richardsonplowden.com)  
Direct Dial: 803-576-3736

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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: *Lindsey Stewart, Personal Representative of the Estate of Shawn Robert Moore v. Green Apple, LLC, d/b/a Applebee's*  
Appellate Case No. 2016-001312  
RPR's File No. 7513-009

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of Respondent's Motion for Extension of Time. Please file the Motion and return one filed-stamped copy with our runner. By copy of this letter, I am serving all counsels for Plaintiff/Appellant with the same.

If the Court requires anything further or you have any questions, please do not hesitate to contact me.

Sincerely,

  
Michelle Parsons Kelley

MPK:sjl

Enclosures

cc: Kathleen C. Barns, Esquire (Via U.S. Mail) (with enclosure)  
Shane Burroughs, Esquire (Via U.S. Mail) (with enclosure)  
Justin Bamberg, Esquire (Via U.S. Mail) (with enclosure)