

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2014-CP-26-8367
(Formerly 2013-CP-26-2816)

Appellate Case No. 2016-001328

RECEIVED
AUG 29 2016
SC Court of Appeals

Gabriel Barnhill & GSB Enterprises LLC..... Respondents

v.

J. Floyd Swilley, J. Floyd Swilley Investment Advisors, Laurel K. Swilley, SMG Partners, LLC, SMS Services, LP, William C. Piner, WCP Limited, LLC, 809 Holdings, LP, QC Financing, LLC, Heath Causey, and Sage Financial Group, LLC, J. Floyd Swilley SMG Partners, LLC, Alicia A. Piner, Heath Causey, Sage Advisory Group, L.P., Sage Private Equity Group, Secured Asset Factoring Exchange, Inc., SAFE, Inc., Digics, LLC, 9-1-1, Plumbing, LLC, and Sage Funding, L.P., Christopher Pitcock, Defendants,


Of Whom J. Floyd Swilley and Laurel K. Swilley and Heath Wendell Causey are the Appellants

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

Respondents Gabriel Barnhill & GSB Enterprises, LLC moves before this Honorable Court for an extension of thirty days (30) days to file their Initial Brief and Designation of Matter on Appeal in response to the Initial Brief of J. Floyd Swilley and Laurel K. Swilley filed on August 22, 2016. Due to counsel's case load, counsel for the

Respondents does not believe he will have sufficient time to complete the Initial Brief and Designation of Matter by its current due date of September 22, 2016. Therefore, Respondents are requesting a thirty (30) day extension until October 22, 2016. Respondents appreciate the Court's consideration.

NATE FATA, P.A.



Nate Fata, Esq. (SC No. 009866)
Post Office Box 16620
Surfside Beach, SC 29587
843-238-2676

August 25, 2016

Attorney for Respondents

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Of Whom J. Floyd Swilley and Laurel K. Swilley and Heath Wendell Causey
are the Appellants

PROOF OF SERVICE

I certify that I have served the Notice of Motion and Motion For Extension of Time To File Reply Brief and Designation of Matter of Respondents on F. Miles Adler, Esquire and Heath Wendell Causey, Pro Se by depositing a copy of same in the United States Mail, postage prepaid, on August 26, 2016, addressed to F. Miles Adler, Esquire, Adler Law Firm, LLC, P.O. Box 4743, Pawleys Island, SC 29585 and Heath Wendell Causey, 1705 N. Oak Street, Suite 2, Myrtle Beach, SC 29577.

August 26, 2016



Nate Fata (S.C. No. 009866)

Nate Fata, P.A.

Post Office Box 16620

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(843) 238-2676

Attorney for Respondents

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RECEIVED
AUG 29 2016
SC Court of Appeals

VIA U.S. MAIL

August 25, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: Gabriel Barnhill and GSB Enterprises, LLC vs. J. Floyd Swilley, et al.
Appellate Case No. 2016-001328

Dear Ms. Kitchings:

Enclosed for filing are an original and six copies of Respondents' Notice of Motion and Motion for Extension of Time to File its Initial Brief and Designation of Matter and Proof of Service of same. I enclose a check in the amount of \$25 for the filing fee. Due to my case load and summer vacation, I respectfully request a 30-day extension so that the Respondents' Initial Brief is due October 22, 2016.

We appreciate the Court's consideration.

Sincerely,



Nate Fata (009866)

Nate Fata, P.A.

Post Office Box 16620

Surfside Beach, SC 29587

(843) 238-2676

Attorney for Respondents

cc:

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Appellant, Pro Se

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08/26/2016

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AUG 29 2016

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211