

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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

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SEP 07 2016

APPELLATE CASE NO. 2016-001312  
CIVIL ACTION NO. 2014-CP-38-00802 and 2014-CP-38-00803  
**SC Court of Appeals**

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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.**

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**SECOND MOTION FOR EXTENSION OF TIME**

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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 were originally due on August 12, 2016. The Court to granted a 30-day extension of time, until September 12, 2016, to serve and file the Respondent's Initial Brief and Designation of Matter. The Respondents respectfully request the Court grant an additional 15-day

extension of time, until September 27, 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 appeals pending in the South Carolina Court of Appeals and numerous litigation matters pending in South Carolina circuit courts.

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 27, 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**

September 7, 2016.

# **EXHIBIT "A"**

## Sondra Lee

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**From:** Michelle Kelley  
**Sent:** Wednesday, September 07, 2016 2:28 PM  
**To:** Sondra Lee  
**Subject:** Fwd: Do I have your consent to the 15 day extension in Stewart?

Begin forwarded message:

**From:** Drew Butler <[DButler@RichardsonPlowden.com](mailto:DButler@RichardsonPlowden.com)>  
**Date:** September 7, 2016 at 2:23:11 PM EDT  
**To:** Michelle Kelley <[MKelley@RichardsonPlowden.com](mailto:MKelley@RichardsonPlowden.com)>  
**Subject:** Fwd: Do I have your consent to the 15 day extension in Stewart?

Regards,  
Drew Hamilton Butler  
Richardson, Plowden & Robinson, PA  
171 Church St, Suite 150  
Charleston, SC 29401  
843-805-6550 (office)  
803-760-6904 (cell)

Begin forwarded message:

**From:** Shane Burroughs <[shane@landblawfirm.com](mailto:shane@landblawfirm.com)>  
**Date:** September 7, 2016 at 1:58:43 PM EDT  
**To:** Drew Butler <[DButler@RichardsonPlowden.com](mailto:DButler@RichardsonPlowden.com)>  
**Cc:** David Marshall <[David@landblawfirm.com](mailto:David@landblawfirm.com)>  
**Subject:** Re: Do I have your consent to the 15 day extension in Stewart?

Yes. [non pertinent discussions redacted]

Shane M. Burroughs  
LANIER & BURROUGHS, LLC  
250 Gibson Street  
PO Drawer 2789  
Orangeburg, SC 29116  
(803) 268-9800-phone  
(803) 531-3465-fax

On Sep 7, 2016, at 1:42 PM, Drew Butler <[DButler@RichardsonPlowden.com](mailto:DButler@RichardsonPlowden.com)> wrote:

Regards,  
Drew Hamilton Butler  
Richardson, Plowden & Robinson, PA  
171 Church St, Suite 150  
Charleston, SC 29401  
843-805-6550 (office)  
803-760-6904 (cell)

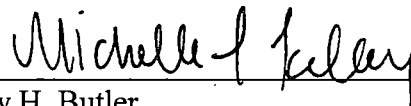
**CERTIFICATE OF SERVICE**

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 Second Motion for Extension of Time, dated September 7, 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)  
Post Office Box 897  
Hampton, SC 29924  
(803) 943-4529

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SEP 07 2016  
SC Court of Appeals

LANIER & BURROUGHS, LLC  
Shane M. Burroughs  
S.C. Bar No. 70346  
[shane@landblawfirm.com](mailto:shane@landblawfirm.com)  
Justin T. Bamberg  
S.C. Bar No. 100337  
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(803) 268-9800



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

Dated: September 7, 2016.

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

September 7, 2016

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SEP 07 2016  
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 Second Motion for Extension of Time. Please file the Motion and return one filed-stamped copy with our runner.

We find it necessary to request this extension due to my workload, which includes pending matters in the South Carolina Court of Appeals, South Carolina District Court and South Carolina circuit courts. This is our second request for an extension of time to serve and file the Initial Respondents' Brief and Designation of Matter.

I am enclosing the \$25.00 filing fee and thank you for your consideration of this request. 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 P. Kelley  
SC Bar No. 75198

MPK:sjl

Enclosures

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