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IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY
COURT OF COMMON PLEAS

STEPHEN A. SPITZ, SPECIAL REFEREE

APPELLATE CASE NO.: 2016-001878
CASE NO.: 2015-CP-07-1931

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OCT 17 2016

SC Court of Appeals

JULIA TOMPKINS EWING,

Respondent,

vs.

KEITH A. GUEST and STEPHANIE C. GUEST and
PLEASANT POINT PROPERTY OWNERS ASSOCIATION, INC.,

Defendants

OF WHOM

KEITH A. GUEST and STEPHANIE C. GUEST are

Appellants.

NOTICE OF MOTION AND MOTION FOR
EXTENSION OF TIME TO FILE APPELLANTS' INITIAL BRIEF
AND DESIGNATION OF MATTER TO BE INCLUDED
IN RECORD ON APPEAL

The Appellants would respectfully request an extension of time within which to file the Initial Brief of the Appellants and the Appellants' Designation of Matter to be Included in the Record on Appeal. These matters were due to be filed no later than October 7, 2016. As a result of Hurricane Matthew Beaufort County was under a mandatory evacuation and our office closed on Tuesday, October 4. Electricity was restored to our office on Tuesday, October 11, but as of today, October 12, the telephone lines are out, and our server and internet is nonfunctional. Most

of our files are stored electronically and until the server and internet are restored, access to these documents cannot be obtained. It is anticipated that we should be fully functional, hopefully, by the end of this week. The transcript of record was requested prior to filing the Notice of Appeal and has been received. It is accordingly respectfully requested that the Appellants be granted an extension of time in which to file the Appellants' Initial Brief and Designation of Matters to be Included in the Record on Appeal until Friday, October 28, 2016.

This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondent.

It is accordingly respectfully requested that the Appellants be granted until October 28, 2016 to file the Appellants' Initial Brief and the Appellants' Designation of Matter to be Included in the Record on Appeal.

MOSS, KUHN & FLEMING, P.A.

By: 

H. Fred Kuhn, Jr.
1501 North Street
Post Office Drawer 507
Beaufort, South Carolina 29901
(843)524-3373
(843)524-1302- FX

Beaufort, South Carolina
October 13, 2016

Attorneys for Appellants

CERTIFICATE OF SERVICE

Undersigned certifies that the Motion for Extension of Time in Which to File the Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal, to which this certificate is affixed, was served upon the party (s) to this action by hand delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:


Christopher Inglese, Esquire
David Tedder, Esquire
604-A Bladen Street
Beaufort, South Carolina 29902

James A. Grimsley, III, Esquire
Tupper, Grimsley and Dean, P.A.
Post Office Box 2055
Beaufort, South Carolina 29901

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in a post office or official depository under the exclusive care and custody of the United States Postal Service, on October 13, 2016.

MOSS, KUHN & FLEMING, P.A.

By:  _____
Sue Radford

LAW OFFICES

MOSS, KUHN, FLEMING & SMITH, P.A.

JAMES H. MOSS
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*ALSO MEMBER OF GA BAR

October 13, 2016

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SC Court of Appeals

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

RE: Julia Tompkins Ewing v. Keith A. Guest and Stephanie C. Guest and Pleasant
Point Property Owners Association, Inc.
Appellate Case No.: 2016-001878

Dear Mrs. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in Record on Appeal regarding the above-referenced matter along with my firms check in the amount of \$25.00 for the filing of the same. I would appreciate your returning one (1) filed copy to me in the enclosed self-addressed stamped envelope. By copy of this letter I am serving a copy of this motion on all counsel of record.

With kindest regards, I am

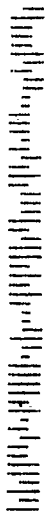
Very truly yours,

MOSS, KUHN & FLEMING, P.A.



H. Fred Kuhn, Jr.
HFKjr:sr
Enclosures

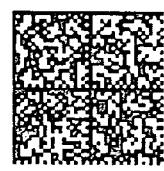
cc: David L. Tedder, Esquire (w/enclosure)
Christopher Inglese, Esquire (w/enclosure)
James A. Grimsley, Esquire (w/enclosure)



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To:

Honorable Jenny Abbott Kitchings
 Clerk, South Carolina Court of Appeals
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