

8/26/2

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Thomas L. Hughston, Circuit Court Judge

Case No. 2015-CP-18-1308

**RECEIVED**  
OCT 17 2016  
SC Court of Appeals

Adrian Smalls,

Respondent,

v.

Brenda Lee Barnett,

Appellant.

**MOTION FOR EXTENSION OF  
TIME TO FILE AND SERVE  
APPELLANT'S INITIAL BRIEF  
AND DESIGNATION OF MATTERS, OR  
IN THE ALTERNATIVE, TO FILE THE SAME  
OUT OF TIME**

**NOW COMES** undersigned Counsel and moves this Court for an Order allowing an extension of time to file and serve the Appellant's Initial Brief and Designation of Matters on appeal, or in the alternative to file the same Out of Time. The grounds for the same include:

1. Appellant's Initial Brief and Designation of Matters were due (upon grant of extension by this Court) on or about October 6, 2016.
2. Undersigned Counsel was disrupted in his ability to procure the same due to a recurring health condition requiring medical attention at Roper Hospital, a local medical care center here in Charleston, SC.
3. Further, upon recovery from the same, there was the added interruption of Hurricane Matthew in which evacuation was order, Courts and county offices were closed, as well as this Counsel's personal office.
4. In step with the directive to evacuate, this Counsel retreated to the North Carolina area to stay with family roughly six (6) hours away.

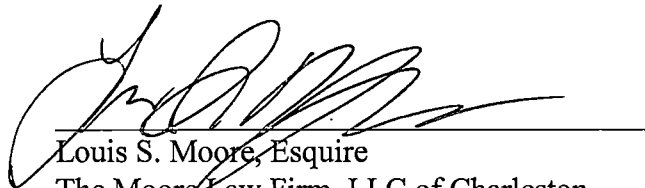
5. As a result of these contentions and unpredictable disruptions, Counsel would request this Court allow an extension of time based on the due date of October 6, 2016 or, in the alternative, file the same Out of Time.

WHEREFORE, Counsel prays the Court will grant:

1. Extension of Time to File and Serve the Initial Brief and Designation of Matters or Out of Time in the alternative. And,
2. Such other relief as may be appropriate.

I so Move!

This 10<sup>th</sup> day of October 2016.



Louis S. Moore, Esquire  
The Moore Law Firm, LLC of Charleston  
171 Church Street, Suite 340  
Charleston, South Carolina 29407  
(443) 469-4635 (P)  
(843) 491-4438 (Fax)  
lou@themoorelawfirmllc.com  
Attorney for Appellant

Other Counsel of Record:  
Kevin D. Hackler, Esquire  
Theron W. Sandy II, Esquire  
Attorneys for Respondent  
3 Broad Street, 2d Floor  
Charleston, South Carolina 29401

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Thomas L. Hughston, Circuit Court Judge

2015-CP-18-1308

**RECEIVED**  
OCT 17 2016  
SC Court of Appeals

Adrian Smalls,

Respondent,

v.

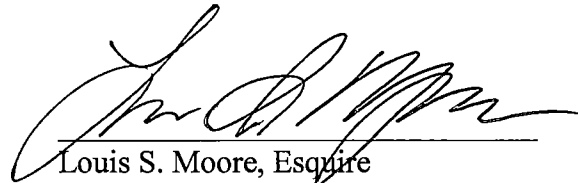
Brenda Lee Barnett,

Appellant.

PROOF OF SERVICE

I certify that I have served the foregoing Motion For Extension of Time to File Appellant's Initial Brief and Designation of Matters, Or in the alternative, file the same Out of time, upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, on 6<sup>th</sup> day of September, 2016 addressed to his attorneys of record, Kevin D. Hackler and Theron W. Sandy, II 3 Broad Street, 2d Floor, Charleston, South Carolina 29401.

10<sup>th</sup> day of October, 2016



Louis S. Moore, Esquire  
171 Church Street, Suite 340  
Charleston, South Carolina 29401  
(443) 469-4635  
Attorney for Appellant

THE MOORE LAW FIRM, LLC

Of Charleston

October 10, 2016

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

**RECEIVED**  
OCT 17 2016  
SC Court of Appeals

RE: Adrian Smalls, Respondent vs Brenda Lee Barnett, Appellant,

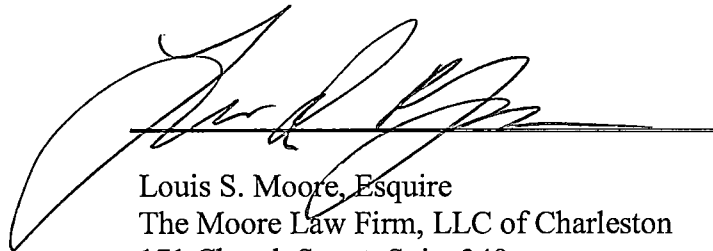
Case No. 2016-000100

Withdrawal of Motion to Be Relieved

Dear Ms. Kitchings:

Enclosed please find Appellant's Motion for Extension of Time to file the Initial Brief and Designation of Matters, or in the alternative, file the same Out-of-Time. Please also find the filing fee of \$25.00.

If you have any added questions or concerns, I can be reached at 843.471-0174 or 443.469-4635.\*



Louis S. Moore, Esquire  
The Moore Law Firm, LLC of Charleston  
171 Church Street, Suite 340  
Charleston, South Carolina 29401  
(843) 471-0174

*Please  
call cell  
as I am  
still in  
North Carolina.  
LM*

**Other Counsel of Record:**

Kevin D. Hackler, Esquire  
Theron W. Sandy II, Esquire  
3 Broad Street, 2d Floor  
Charleston, South Carolina 29401

The Moore Law Firm, LLC of Charleston  
Office: 843.471-0174

171 Church Street, Suite 340  
Fax: 843.491-4438

Charleston, SC 29407  
Email: Lou@themoorelawfirmllc.com

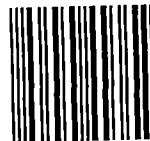
✓

Moore Law Firm  
171 Church ST.  
Suite 340  
Char., SC 29401

RECEIVED



1000



29211

OCT 17 2016

SC Court of Appeals

U.S. POSTAGE  
PAID  
REIDSVILLE, NC  
27320  
OCT 11 16  
AMOUNT

\$1.57

R2303S104002-05

Hon. Jenny Abbott Kitchings  
Clerk, SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211