

RECEIVED
NOV 01 2016
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Robin B. Stillwell, Circuit Court Judge

Case No. 2013-CP-23-6522

Madel C. Rivero, as Personal Representative for the
Estate of Lilia Lorena Blandin, Respondent,

v.

Sheriff Steve Loftis, in his capacity as
Sheriff of Greenville County, Appellant.

**APPELLANT'S MOTION FOR EXTENSION
TO FILE INITIAL BRIEF**

The Appellant Sheriff Steve Loftis respectfully moves this Court for an additional twenty day extension of time until November 22, 2016, by which to file and serve his Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellant's motion is based on the following grounds:

1. The Initial Brief is currently due to be filed and served on Novmeber 2, 2016.

2. The undersigned counsel for the Appellant requires this additional time to prepare the Appellant's Initial Brief because of other obligations and deadlines including a Federal Court summary judgment brief due on November 1, 2016, a State Court summary judgment brief due on November 2, 2016, a South Carolina Court of Appeals appellate brief due on November 3, 2016 and a South Carolina Court of Appeals oral argument on November 3, 2016 (which was recently re-scheduled due to a postponement resulting from Hurricane Matthew). In addition, the undersigned counsel had another South Carolina Court of Appeals appellate brief that was just filed on October 27, 2016. The undersigned counsel was also out-of-state from October 27th through 30th on a college trip with his son.

3. Counsel for the Respondent has been consulted and has consented to the requested extension. (See attached email).

WHEREFORE, the Appellant Sheriff Steve Loftis respectfully requests that he be allowed until November 22, 2016, by which to file and serve his Initial Brief and Designation of Matter to be Included in the Record on Appeal.

DAVIDSON & LINDEMANN, P.A.

BY: 

ANDREW F. LINDEMANN
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

-and-

RUSSELL W. HARTER, JR.
CARLY H. DAVIS
CHAPMAN, HARTER
& HARTER, P.A.
Post Office Box 10224
Greenville, South Carolina 29603
(864) 233-4500

*Counsel for Appellant
Sheriff Steve Loftis*

November 1, 2016

Andrew Lindemann

From: John Nichols <jsnichols@bntdlaw.com>
Sent: Tuesday, November 01, 2016 9:32 AM
To: Andrew Lindemann
Cc: Erin Bridges
Subject: RE: Rivero v. Loftis

Andrew

By all means. H. Matthew threw us all for a major loop, and when the boxcars get backed up like that it takes time. Don't kill yourself!

Tell them we consulted and we consent.

John S. Nichols
Bluestein Nichols Thompson & Delgado, LLC
Post Office Box 7965
Columbia, South Carolina 29202
(803) 779-7599
jsnichols@bntdlaw.com

From: Andrew Lindemann [<mailto:alindemann@DML-LAW.com>]
Sent: Tuesday, November 01, 2016 9:27 AM
To: John Nichols
Subject: Rivero v. Loftis
Importance: High

John:

I need a favor. Will you kindly consent to an extension of an additional 20 days for my initial brief in this appeal? I have gotten behind and really need the additional time. I have another Court of Appeals brief due Thursday as well as an oral argument on Thursday (one that had been postpone because of Hurricane Matthew and which was recently rescheduled to Thursday).

Please let me know. I would like to get the motion filed later today.

I appreciate it.

Andrew

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Robin B. Stillwell, Circuit Court Judge

Case No. 2013-CP-23-6522.

RECEIVED

NOV 01 2016

SC Court of Appeals

Madel C. Rivero, as Personal Representative of the
Estate of Lilia Lorena Blandin, Respondent,

v.

Sheriff Steve Loftis, in his capacity as
Sheriff of Greenville County, Appellant.

CERTIFICATE OF SERVICE

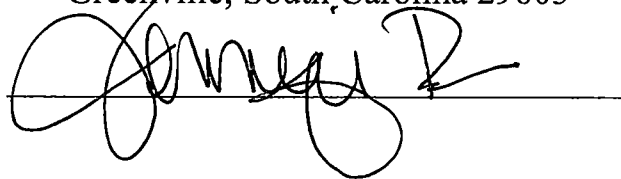
The undersigned employee of Davison & Lindemann, P.A., counsel for the Appellant, does hereby certify that service of **Appellant's Motion for Extension to File Initial Brief** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 1st day of November 2016:

Daniel J. Farnsworth, Jr., Esquire
Brann W.M. Fowler, Esquire
Farnsworth Law Offices, LLC
Post Office Box 8719
Greenville, South Carolina 29604

Daniel W. Luginbill, Esquire
J. Christopher Wilson, Esquire
Wilson & Luginbill, LLC
Post Office Box 1150
Bamberg, South Carolina 29003

John S. Nichols, Esquire
Bluestein Nichols Thompson & Delgado, LLC
Post Office Box 7965
Columbia, South Carolina 29202

Russell W. Harter, Jr., Esquire
Carly H. Davis, Esquire
Chapman, Harter & Harter, P.A.
Post Office Box 10224
Greenville, South Carolina 29603

A handwritten signature in black ink, appearing to read "Carly H. Davis", is written over a horizontal line. The signature is cursive and stylized.

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H. Davidson, II
Andrew F. Lindemann*
James M. Davis, Jr.†
Robert D. Garfield
Michael B. Wren

1611 Devonshire Drive, Second Floor
Post Office Box 8568
Columbia, South Carolina 29202-8568
Telephone: (803) 806-8222
Facsimile: (803) 806-8855
www.dml-law.com

November 1, 2016

Daniel C. Plyler
Joel S. Hughes
David A. DeMasters
Steven R. Spreeuwers
Brandon M. Briggs
Jasmine D. Wyman

*Also Admitted In North Carolina
†Certified Mediator

Of Counsel
Kenneth P. Woodington

Writer's Email: alindemann@dml-law.com

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED

NOV 01 2016

SC Court of Appeals

RE: Madel C. Rivero, as Personal Representative for the Estate of Lilia Lorena Blandin v.
Sheriff Steve Loftis, in his capacity as Sheriff of Greenville County
Appellate Case Number: 2016-000548
Civil Action Number: 2013-CP-23-6522
Claim Number: 03841
Our File Number: 104.9842

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of **Appellant's Motion for Extension to File Initial Brief** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

J