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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

DEC 01 2016

SC Court of Appeals

The Honorable Kristi Lee Harrington, Circuit Court Judge

Lower Court Case No. 2015-CP-10-6819
Court of Appeals Case No. 2016-001379

TRACY SMITH,

Appellant,

v.

SARAH GAINNEY AND SAVE, INC.,

Respondents.

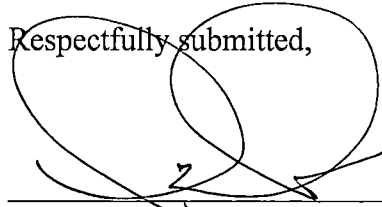
RESPONDENTS' MOTION FOR EXTENSION OF TIME

Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondents respectfully hereby move this Honorable Court for an extension of time to serve and file their Responsive Brief.

On November 17, 2016, Appellant Tracy Smith hand-delivered a copy of his initial brief. Pursuant to Rule 208(a)(2), Respondents' brief would be due on December 19, 2016, as December 17, 2016 is a Saturday. Due to counsel for Respondents being set for a date certain trial December 5 – 10, 2016, as well as the intervening Thanksgiving holiday occurring on November 24, 2016, Respondents respectfully request an additional thirty (30) days in which to serve their responsive brief, extended for date of service to be January 17, 2017.

Respondents respectfully requests the Court grant their motion for extension of time to serve and file their responsive brief no later than January 17, 2017.

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line at the bottom, positioned above a horizontal separator line.

Jack G. Gresh, SC Bar No. 75188
Lauren V. Spears, SC Bar No. 100994
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401
Telephone: (843) 720-3460

*Attorneys for Respondents Sarah Gainey and Save,
Inc.*

Dated: November 28, 2016

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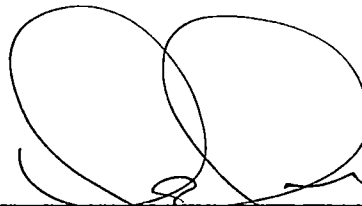
SARAH GAINNEY AND SAVE, INC.,

Respondents.

PROOF OF SERVICE

I certify that I have served the **Respondents' Motion for Extension of Time** upon the Appellant by depositing a copy of same in the United States Mail, First Class postage prepaid, on November 28, 2016, addressed to Appellant, *pro se*, addressed as follows:

Tracy Smith, *pro se* Appellant
4351 Park Island Road
Hollywood, SC 29449



Jack G. Gresh, SC Bar No. 75188
Lauren V. Spears, SC Bar No. 100994
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401
Telephone: (843) 720-3460

*Attorneys for Respondents Sarah Gainney and Save,
Inc.*

Dated: November 28, 2016

H | B | S HALL BOOTH SMITH, P.C.

Jack G. Gresh | 40 Calhoun Street, Suite 550
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E: JGresh@hallboothsmith.com | W: www.hallboothsmith.com
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VIA U.S. MAIL

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

Re: Tracy Smith v. Sarah Gainey and Save, Inc.
Court of Appeals Case No.: 2016-001379
Lower Court Case No.: 2015-CP-10-6819

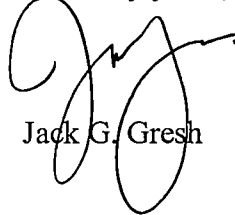
Dear Ms. Kitchings:

Enclosed please find the original and six copies of **Respondents' Motion for Extension of Time** with the Proof of Service in the above-referenced matter. I have also enclosed our firm's check for the \$25.00 filing fee.

I have enclosed an additional copy of the Motion for Extension of Time, and would appreciate your returning the filed copy to our office in the enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter. If you have any questions or concerns, please do not hesitate to contact our office.

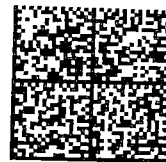
Sincerely yours,



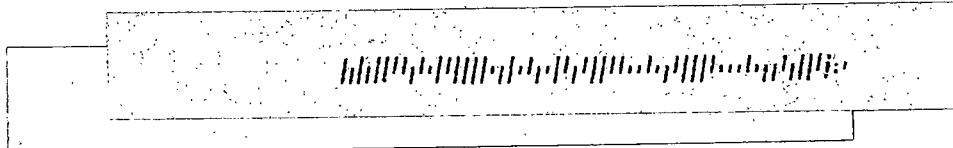
Jack G. Gresh

JGG/slf

cc: Tracy Smith, *pro se* Appellant
The Honorable Julie J. Armstrong



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