

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Roger M. Young
Lower Court Case No. 2011-CP-00400

Unpublished Opinion No. 2015-UP-491
Filed October 14, 2015

Appellate Case No. 2016-000065

RECEIVED

DEC 12 2016

S.C. SUPREME COURT

Jacquelin S. Bennett, Genevieve S. Felder and Kathleen S. Turner, individually, as Co-Trustees and beneficiaries of the Marital Trust and the Qualified Terminable Interest Trust created by the Thomas Stevenson Will, and Jacquelin S. Bennett, and Kathleen S. Turner, as Co-Personal Representatives on behalf of the Estate of Jacquelin K. Stevenson

Respondents,

v.

T. Heyward Carter, Jr.; Evans, Carter; Kunes & Bennett, P.A.; Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., P.A.; and Lynne L. Kerrison

Defendants,

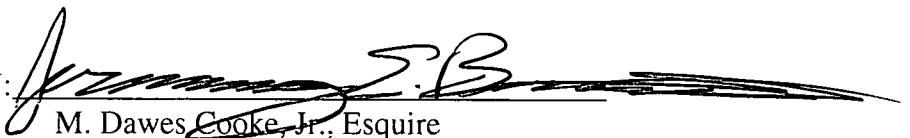
Of Whom

Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., and Lynne L. Kerrison are

Petitioners.

Motion for Extension of Time to Serve Brief and Appendix

BARNWELL WHALEY PATTERSON & HELMS, LLC

BY: 

M. Dawes Cooke, Jr., Esquire

Jeremy E. Bowers, Esquire

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Charleston, SOUTH CAROLINA 29402

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ATTORNEYS FOR THE PETITIONERS

December 9, 2016
Charleston, South Carolina

Other Counsel of Record:

A. Camden Lewis, Esquire
Keith M. Babcock, Esquire
James M. Griffin, Esquire
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Motion for Extension of Time to Serve Brief and Appendix

COME NOW, the Petitioners (“Petitioners”) with the written consent of the Respondents, pursuant to Rule 263(b) and Rule 240 of the South Carolina Appellate Court Rules, and respectfully move the Supreme Court for a fifteen (15) day extension of time to serve and file their brief and copies of the Appendix as required by Rule 242(i), SCACR, for the good cause as set forth below:

1. The Court granted Petitioner’s Petition for Writ of Certiorari by Order dated December 1, 2016.

2. Pursuant to Rule 242(i), SCACR, Petitioners’ brief and copies of the Appendix are due to be filed on or before December 31, 2016.

3. Petitioners file this motion requesting a fifteen (15) day extension to file their brief and copies of the Appendix. Petitioners have obtained the written consent of Respondents to this request for an extension of time. Petitioners previously requested and received a five (5) day extension to serve their Reply Brief to the Petition for Writ of Certiorari.

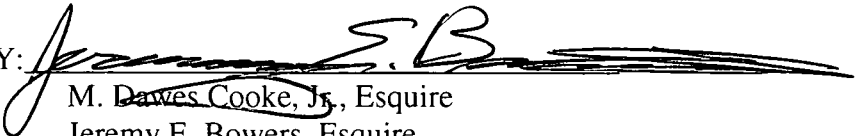
4. Petitioners have taken exception to a number of rulings from the Court of Appeals and require the additional time to prepare their brief. Given the holiday schedule between the time of the Court’s Order granting the Petition for Writ of Certiorari and the due date for Petitioners’ brief, Petitioners respectfully ask for this extension time to have sufficient time to prepare their brief and address all exceptions to the rulings from the Court of Appeals. Petitioners seek this extension of time to properly prepare their brief.

5. Petitioners have consulted with all counsel of record, and all counsel consent to Petitioners’ request for an extension of time. If the extension is granted, the Petitioners’ brief and copies of the Appendix would need to be served and filed on or before Tuesday, January 17,

2017. Because the original fifteen (15) day extension would fall on a Sunday and the following Monday is a holiday, Martin Luther King, Jr., Day, Petitioners believe the due date would be Tuesday, January 17, 2017.

Therefore, for the foregoing reasons and with the consent of counsel for the Respondents, Petitioners respectfully ask this Court to grant them an extension of time to file their brief and copies of the Appendix until January 17, 2017.

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Defendants,

Of Whom

Dixon-Hughes f/k/a Pratt-Thomas Gumb & Co., and Lynne L. Kerrison are


Petitioners.

PROOF OF SERVICE

I certify that on this 9th day of December 2016, I have served on the Respondents' counsel a copy of the attached Motion for Extension of Time to Serve Brief and Appendix by causing a copy of the same to be placed in the U.S. Mail, first-class postage paid, addressed to:

A. Camden Lewis, Esquire
Keith M. Babcock, Esquire
James M. Griffin, Esquire
Ariail E. King, Esquire
Lewis Babcock & Griffin, LLP
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Columbia, SC 29211

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