

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2009-CP-46-03360

ROBERT K. MARSHALL, Jr., and
DONNA CHAPMAN MARSHALL,
doing business as "Rock Hill Property Management",
a South Carolina general partnership, Appellants,

vs.

THE CITY OF ROCK HILL, SOUTH CAROLINA,
a municipal corporation,
CAREY F. SMITH, in his capacity as City Manager, and
LORI THOMAS,
in her capacity as Customer Services Manager Respondents.

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SEP 10 2012

SC Court of Appeals

MOTION FOR
EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order granting them an extension of time in which to file their Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:


1. The deadline for filing the Appellants' Initial Brief and Designation of Matter to be included in the Record on Appeal is, after receipt of the Transcript herein, Wednesday, September 5, 2012.
2. Counsel for Appellants has not been capable of adequately completing the Appellants' Brief and Designation of Matter during the initial period due to the press of business in his office.
3. By this first request, counsel for Appellants requests an extension for thirty (30) days,

that is, through Friday, October 4th 2012.

The basis of this Motion is the within-cited Rule, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move this Court for an extension of time in which to file their Initial Brief and Designation of Matter to be included in the Record on Appeal for an additional period, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

February 3, 2012



John Martin Foster
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Attorney for Appellants

Other Counsel of Record:

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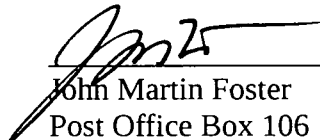
PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time dated September 5, 2012, on the following counsel or persons of record:

Wm. Mark White
Jeremy D. Melville
Spencer & Spencer, PA
PO Box 790
Rock Hill, SC 29731

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262, S.C.A.C.R.

September 5, 2012



John Martin Foster
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803 324-8100
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JOHN MARTIN FOSTER

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Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

September 5, 2012

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

Re: Robert K. Marshall and Donna Chapman Marshall, Appellants
v. City of Rock Hill, et al., Respondents
Docket No. 09-CP-46-03360

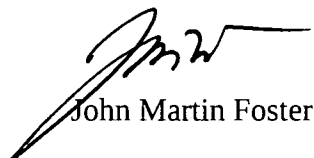
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellants' Motion for Extension, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorneys for the Respondents with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,


John Martin Foster

jmf/
enclosures
cc: Client File

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