

81971

RECEIVED

DEC 21 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Roger M. Young, Sr., Circuit Court Judge

Lower Court Case No. 2015-CP-10-00330
Court of Appeals Case No. 2016-001541

GARY NESTLER and JULIE NESTLER,

Appellants,

v.

JOSEPH E. FIELDS,

Respondent.

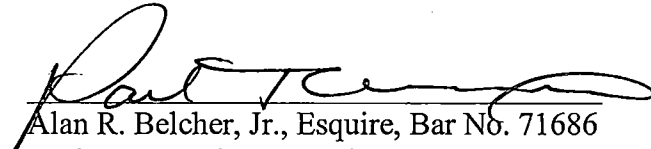
MOTION FOR EXTENSION OF TIME

NOW COMES the Respondent, Joseph E. Fields, by and through his undersigned counsel, and pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, respectfully hereby moves this Honorable Court for an extension of time to serve and file his Initial Brief and Designation of Matter to be included in the record on appeal.

On December 15, 2016, the Appellants served and filed their Initial Brief and Designation of Matter, thereby making the service and filing of the Respondent's Initial Brief and Designation of Matter due on Monday, January 16, 2017 (as thirty days would fall on Saturday, January 14, 2017), pursuant to Rule 208(a)(1) of the South Carolina Appellate Court Rules. The Respondent respectfully requests an additional thirty (30) days to serve his Initial Brief and Designation of Matter, with the extended date for service and filing being February 13, 2017.

WHEREFORE, the Respondent respectfully requests this Honorable Court grant his Motion for Extension of Time to serve and file his Initial Brief and Designation of Matter no later than February 13, 2017.

Respectfully submitted,



Alan R. Belcher, Jr., Esquire, Bar No. 71686
Paul Barry Trainor, Esquire, Bar No. 101405
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401
Telephone: (843) 720-3460
Attorneys for Respondent

Dated: December 14, 2016

OTHER COUNSEL OF RECORD:

Andrew J. McCumber, Esquire, Bar No. 15129
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401
(843) 577-0261
Attorneys for Appellants

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

DEC 21 2016
SC Court of Appeals

The Honorable Roger M. Young, Sr., Circuit Court Judge

Lower Court Case No. 2015-CP-10-00330
Court of Appeals Case No. 2016-001541

GARY NESTLER and JULIE NESTLER,

Appellants,

v.

JOSEPH E. FIELDS,

Respondent.

PROOF OF SERVICE

I certify that I have served the Respondent's **Motion for Extension of Time** upon the Appellants by depositing a copy of same in the United States Mail, First Class postage prepaid, on December 20 2016, addressed to the Appellants' attorney of record, addressed as follows:

Andrew J. McCumber, Esquire
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401



Alan R. Belcher, Jr., Esquire, Bar No. 71686
Paul Barry Trainor, Esquire, Bar No. 101405
40 Calhoun Street, Suite 550
Charleston, South Carolina 29401
Telephone: (843) 720-3460
Attorneys for Respondent

Dated: December 20th, 2016

Paul Trainor | 40 Calhoun Street, Suite 550
P: 843-720-3460 | Charleston, SC 29401
E: ptrainor@hallboothsmith.com | W: www.hallboothsmith.com
P: (843) 720-3460 F: 843-720-3458

December 20, 2016

Via Federal Express

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

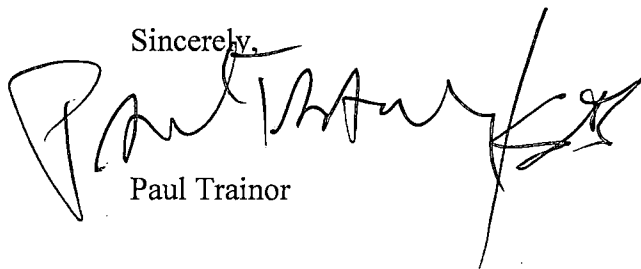
RECEIVED
DEC 21 2016
SC Court of Appeals

Re: *Gary and Julie Nestler v. Joseph E. Fields*
Lower Court Case No.: 2015-CP-10-00330
Court of Appeals Case No.: 2016-001541
HBS File No.: 6682.0023

Dear Ms. Kitchings:

Enclosed please find an original and six copies of Respondent's Motion for Extension of Time. Please file the original and return a clocked copy in the enclosed envelope. By copy of this correspondence to opposing counsel, I am serving him with a copy of the Motion. Thank you in advance for your assistance.

Sincerely,



Paul Trainor

PT/vr

Enclosures

cc: Andrew J. McCumber, Esq.

ORIGIN ID:CHSA (843) 720-3497
JACK GRESH
JACK GRESH
40 CALHOUN STREET
SUITE 550
CHARLESTON, SC 29401
UNITED STATES US

SHIP DATE: 20DEC16
ACTWGT: 1.00 LB
CAD: 103388659/INET3790

BILL THIRD PARTY

TO HONORABLE JENNY ABBOTT KITCHINGS
SC COURT OF APPEALS
1220 SENATE STREET

COLUMBIA SC 29201

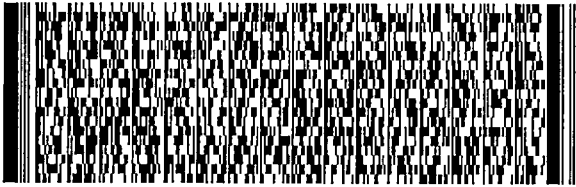
(803) 734-1890

REF: 6682.0023

INV.
PO:

DEPT:

544J1DC42F/14EB



FedEx
Express



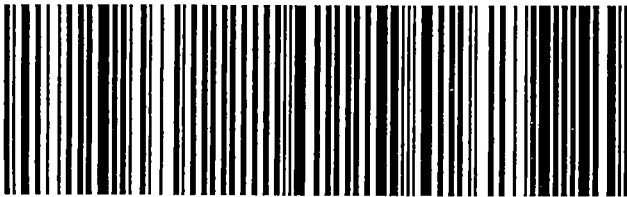
J16201610120100

WED - 21 DEC 3:00P
STANDARD OVERNIGHT

TRK# 7780 0164 4190
0201

28 USCA

29201
SC-US CAE



RECEIVED

DEC 21 2016

SC Court of Appeals