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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

JAN 03 2017

Brian M. Gibbons, Circuit Court Judge

**SC Court of Appeals**

Appellate Case No. 2015-002558

CHRIS M. DOMNICK,

Respondent,

v.

FRANK LEROY DOMNICK and  
SHELLY L. DOMNICK,

Appellants.

MOTION FOR EXTENSION OF TIME,  
OR FOR THE RIGHT TO FILE OUTSIDE TIME


Pursuant to Rules 263(b) and 240, S.C.A.C.R., the Appellants, by their counsel undersigned, move this Court for an order granting an extension of time in which to serve their Final Brief in the matter above, or to be allowed to serve the same outside time, on the grounds stated below:

1. The Record on Appeal was served, as shown by its Certificate of Service, on December 9<sup>th</sup>, 2016. Under Rule 211, S.C.A.C.R., service of the Final Brief was due as of December 29<sup>th</sup>, 2016.
2. Counsel for the Appellants was prevented from filing the Appellants' Final Brief owing to the press of business in his office, and owing to the seasonal schedule of the printer used by him.
3. Counsel for the Appellants believes the same can be supplied if a twenty (20) day extension period is allowed.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move this Court for an extension of time, or for the right to file outside time, for a period of twenty (20) days in which to serve their Final Brief.

December 30, 2016

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
(803) 324-8100  
Attorneys for Appellants

Other Counsel of Record:

D. Alan Lazenby  
Ginger D. Goforth  
Lazenby Law Firm, LLC  
Post Office Box 6099  
Spartanburg, S. C. 29304  
Attorneys for Respondent  
(864) 804-5050

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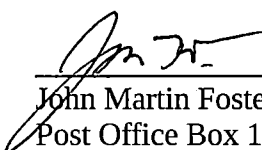
CERTIFICATE OF SERVICE

I certify that I have served the Appellants' Motion for Extension of Time, or to file outside time, dated December 30, 2016, on the following counsel or persons of record:

D. Alan Lazenby  
Ginger D. Goforth  
Lazenby Law Firm, LLC  
Post Office Box 6099  
Spartanburg, S. C. 29304

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(b), S.C.A.C.R.

December 30, 2016

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellants

JOHN MARTIN FOSTER

*Attorney at law*

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The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

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December 30, 2016

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

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JAN 03 2017

SC Court of Appeals

Re: Charles M. Domnick, Respondent,  
v. Frank Leroy Domnick and Shelly L. Domnick, Appellants  
Appeallate Case No. 2015-002558

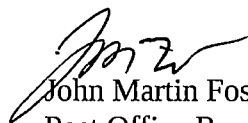
Dear Ms. Kitchings:

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 of Time, or to File Outside Time. 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 attorney for the Respondent 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,



John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Appellants

jmf/  
enclosures

cc: D. Alan Lazenby  
Ginger D. Goforth  
Lazenby Law Firm, LLC  
Post Office Box 6099  
Spartanburg, S. C. 29304  
Attorneys for Respondent  
(864) 804-5050

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**SC Court of Appeals**

**John Martin Foster Attorney**

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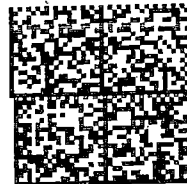
**TO:**

THE HONORABLE JENNY ABBOTT KITCHINGS

CLERK OF THE COURT OF APPEALS

POST OFFICE BOX 11629

COLUMBIA, S.C. 29211



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