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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
R. Knox McMahon, Circuit Court Judge

Case No. 2013-CP-21-1334 and 2013-ES-21-190
Appellate Case No. 2013-002810

RECEIVED

JAN 10 2017

SC Court of Appeals

In the Matter of the Estate of Eris Singletary Smith

In re:

Eris Gail Smith, Appellant,

v.

Judy Smith Jones, Jacquelyn Brown, James Ervin
Smith, Timothy David Smith, Jamie Smith, and Mikie
Smith, Defendants

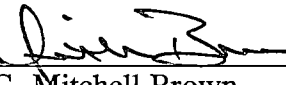
Of whom Judy Smith Jones is the, Respondent.

MOTION FOR ONE DAY EXTENSION

On January 5, 2017, this Court actually received the Petition for Rehearing in the above-captioned matter via facsimile. This request for an extension is to allow delivery of the original Petition and filing check. This one day extension is requested for the reasons set forth in the attached affidavit. No legal prejudice will be suffered by any party as a result of the granting of this motion. The originals are attached to this motion.

Signature Page Attached

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:  by MSA w/ pencil

C. Mitchell Brown
SC Bar No. 012872
E-Mail: mitch.brown@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000

Attorneys for Appellant

Columbia, South Carolina

JAN 15, 2017

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
R. Knox McMahon, Circuit Court Judge

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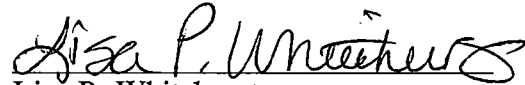
Of whom Judy Smith Jones is the, Respondent.

AFFIDAVIT

I, Lisa Whitehurst, the administrative assistant for Mitch Brown, being sworn
states that:

At 12:31 p.m. on January 5, 2017, I received the final version of the
Petition for Rehearing which is attached to the Motion for One Day
Extension, and was ready for filing. I also received instructions from
Mr. Brown to have the original documents delivered to the Court today.
Mr. Brown informed me that he would not be in the office the remainder
of the day because of other obligations. I reviewed the message and
knew that I needed to deliver the petition, and I take full responsibility
for not getting the original petition delivered to the Court. I faxed the

Petition for Rehearing so the Court actually received the Petition as required under Rule 221, SCACR.


Lisa P. Whitehurst

January 5, 2017

SWORN to and subscribed before me

this 5 day of January, 2017


_____(L.S.)
Notary Public for South Carolina

My Commission Expires: May 12, 2018

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
Honorable R. Knox McMahon

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Case Nos. 2013-CP-21-1334 and 2013-ES-21-190
Appellate Case No. 2013-002810

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Of whom Judy Smith Jones is the, Respondent,

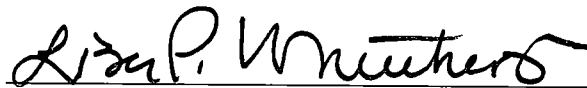
PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins
Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served
all counsel in this action with a copy of the pleading(s) hereinbelow specified by
mailing a copy of the same by United States Mail, postage prepaid, to the following
address(es):

Pleadings: Motion for One Day Extension

Counsel Served:

J. René Josey, Esquire
Jeffrey L. Payne, Esquire
Turner Padgett Graham & Laney
P.O. Box 5478
Florence SC 29502



Lisa P. Whitehurst
Administrative Assistant

January 5, 2017

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
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C. Mitchell Brown
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Fax: 803.255.9025
mitch.brown@nelsonmullins.com

January 5, 2017

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia SC 29211

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SC Court of Appeals

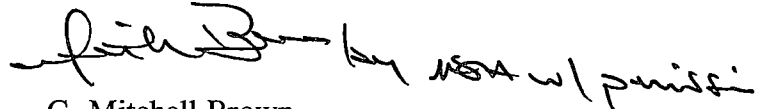
RE: In the Matter of the Estate of Eris Singletary Smith
Probate Roll No.: 2013-ES-21-190
Appellate Case No. 2013-002810
Our File No. 42246/01500

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of a Motion for One Day Extension in regard to the above-referenced matter along with the requisite filing fee.

With kind regards, I remain

Sincerely yours,



Handwritten signature of C. Mitchell Brown, with a note "by USA w/ permissi" written in cursive to the right of the signature.

C. Mitchell Brown

CMB:lpw
Enclosures
cc: J. René Josey, Esquire

LAW OFFICES
NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.

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**Nelson
Mullins**

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Columbia, SC 29211-1070

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