

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2012-212110  
Horry County Case No. 2011-CP-26-7104

Jeremiah DiCapua,

Appellant,

v.

Thomas D. Guest, Jr.,

Respondent.

**MOTION TO EXTEND DEADLINE**

# 000011

NOV 06 2012

COURT OF APPEALS

Respondent, pursuant to Rule 240 and by and through his undersigned counsel, hereby respectfully requests an extension of time to file the Designation of Matter to be Included in Record on Appeal. The Designation of Matter to be Included in the Record on Appeal is attached hereto and was inadvertently not filed with the Initial Brief of Respondent. Respondent respectfully requests the Court extend the deadline to allow the filing, as no party will be prejudiced by the extension because all documents listed are also listed in Appellant's Designation of Matter.



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(843) 727-0307  
Attorneys for Respondent

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**PROOF OF SERVICE**

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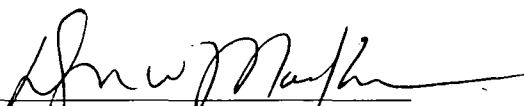
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SC COURT OF APPEALS

I certify that I have served the Motion to Extend Deadline on Jeremiah DiCapua via Federal Express, on November 5, 2012, addressed to him at McCormick Correction Institution, J4B-214, Inmate No. 00105096, 386 Redemption Way McCormick, South Carolina 29899.

November 5, 2012

  
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REPLY TO SC OFFICE

November 5, 2012

**VIA FEDERAL EXPRESS**

Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: Jeremiah DiCapua v. Thomas D. Guest, Jr.  
Appellate Case No. 2012-212110  
Horry County Case No.: 2011-CP-26-7104  
CCS File No.: 2902-44514

Dear Ms. Kitchings:

Enclosed please find an original and six copies of the Motion to Extend Deadline, an original and one copy of the Designation of Matter to be Included in the Record on Appeal, and our firm's check in the amount of \$25.00 to cover the filing fee for the motion. Please file the original documents and return a file-stamped copy of each to our office in the enclosed self-addressed, stamped envelope.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



DOUGLAS W. MACKELCAN

DWM:lnr

Enclosures

cc: Jeremiah DiCapua (via Federal Express)