

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2015-CP-26-8179
Appellate Case No. 2016-002175

RECEIVED

FEB 17 2017

SC Court of Appeals

82541

Robert DeCiero,.....Appellant,

v.

Horry County, State of South Carolina,.....Respondent.

MOTION FOR EXTENSION OF TIME

NOW COMES Respondent and moves for a 30-day Extension of Time to file the Initial Brief of Respondent and Designation of Matter to be Included in the Record.

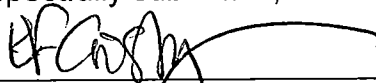
The basis for the motion is that Respondent's counsel's schedule for the next few weeks necessitates additional time to complete the Brief. On January 26, 2017, Respondent was served with the Initial Brief while Appellant's second and third Motions for Extension of Time were still pending, subject to Respondent's Returns. 1 On February 9,

1 The first request was unopposed, and the later two only on the basis they were filed after the unopposed extension expired. (SCACR Rule 208(a)(4) *Failure to File*.)

2017, Respondent received the Court's Order granting Appellant's motions and accepting the Initial Brief as filed. Respondent submits no prejudice shall inure to Appellant by granting Respondent an extension.

For the reasons stated above, Respondent requests a 30-day extension of time to prepare the responsive material for the Court.

Respectfully submitted,



Elise F. Crosby S.C. Bar # 7077
CROSBY LAW FIRM, LLC
405 Dozier Street
Georgetown, South Carolina 29440
(843) 546-3103
Attorney for Respondent

Date: February 14, 2017
Georgetown, South Carolina

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Roberts DeCiero,.....Appellant,

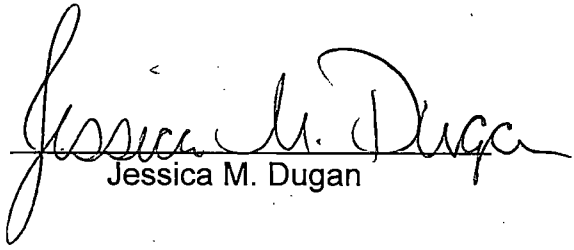
v.

Horry County, State of South Carolina,.....Respondent.

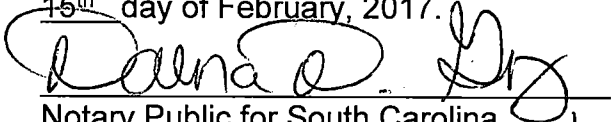
PROOF OF SERVICE

I, Jessica M. Dugan do hereby certify that I am an employee of THE CROSBY LAW FIRM, LLC, attorney for the Respondent in the above-referenced action, do hereby certify that I did this 15th day of February, 2017, by first class mail, postage prepaid, serve a copy of **Respondent's Motion for Extension of Time** to the following Attorney, addressed as follows:

Thomas C. Brittain, Esquire
The Brittain Law Firm, P.A.
4614 Oleander Drive
Myrtle Beach, SC 29577


Jessica M. Dugan

Sworn to before me this
15th day of February, 2017.



Notary Public for South Carolina

My Commission Expires: 1/23/22



JOE M. CROSBY
jcrosby@crosbyfirm.com

CROSBY LAW FIRM, LLC
405 DOZIER STREET
GEORGETOWN, S. C. 29440
TEL: (843) 546-3103 FAX: (843) 546-0747
www.crosbyfirm.com

ELISE F. CROSBY*
ecrosby@crosbyfirm.com
*Certified Family Court Mediator

February 15, 2017

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

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SC Court of Appeals

RE: *Robert DeCiero vs. Horry County, State of South Carolina*
Appellate Case No.: 2016-002175

Dear Ms. Kitchings:

Enclosed please find for filing in regards to the above-referenced case the original and six (6) copies of Respondent's Motion for Extension of Time, along with the Proof of Service and the \$25 filing fee.

With kindest regards,

Respectfully yours,

Elise F. Crosby
Elise F. Crosby

EFC/jmd
Enc

cc: Thomas C. Brittain, Esquire

✓



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