

THE STATE OF SOUTH CAROLINA

In the Supreme Court

ON PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEALS

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MAY 08 2017

Appeal from the Circuit Court
J.C. Nicholson, Jr., Circuit Court Judge

S.C. SUPREME COURT

SUPREME COURT CASE NO. 2017-000743

BETTY FISHER, LISA FISHER.....Petitioners

v.

BESSIE HUCKABEE.....Respondent

**MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF BY
PETITIONERS BETTY FISHER AND LISA FISHER**

JOHN HUGHES COOPER, ESQUIRE
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843-883-9099; fax 843-883-9335
and

LISA FISHER, ESQUIRE
Pro Hac Vice
c/o JOHN HUGHES COOPER, P.C.
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Mount Pleasant, SC 29464
843-883-9099; fax 843-883-9335
(Attorneys for Petitioners)

COME NOW Betty Fisher and Lisa Fisher, Petitioners in the above matter, and, pursuant to Rules 240 and 242, SCACR, move for an extension of time to file their Reply Brief.

On March 27, 2017, Petitioners filed their *Petition for Writ of Certiorari*. On or about April 4, 2017, Respondent filed a document purporting to be her Return. The document was in fact Respondent's briefing for case no. 2016-00320. On April 7, 2017, this Court sent a letter to Respondent informing that there was an error. On April 17, 2017, Respondent sent correspondence requesting the court amend the covers on the filed brief to reflect case no. 2016-00320. There was no reference to filing a return to this subject *Petition for Writ of Certiorari*.

In a letter dated April 28, 2017, Respondent's counsel Peter Kouten sent correspondence with Respondent's Return to *Petition for Writ of Certiorari*. The proof of service for the Return was April 29, 2017. Petitioners contend that this Return is late. Petitioners filed their *Petition for Writ* on March 27, 2017. The Return was due on April 26, 2017. Petitioners' counsel did not receive the Return until May 3, 2017. Based on the Rules, Petitioners' reply would be due on May 9, 2017.

Unfortunately, Petitioners' counsel, responsible for drafting of the brief, was ill for over a week, and is still recovering. Based on the irregularity of the filing, the delay in receipt, and counsel's illness, Petitioners respectfully request that the Court grant this motion for a 10 day extension. The deadline for filing the Reply would be extended to May 19, 2017.

Petitioners request that any briefing due to the court be extended until May 19, 2017.

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WHEREFORE, Petitioners prays for an Order granting a 10 day extension of time to file the Reply Brief of Petitioner until May 19, 2017.

May 5, 2017

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By: _____

JOHN HUGHES COOPER, ESQUIRE

LISA FISHER, ESQUIRE,

PRO HAC VICE

Federal Court ID 298

South Carolina Bar 1387

State Bar of Georgia 185986

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ATTORNEYS FOR PETITIONERS

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PROOF OF SERVICE

I certify that I have served the **MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

BY PETITIONERS BETTY FISHER AND LISA FISHER on Respondent by

depositing a copy of it in the United States Mail, postage prepaid, on May 5, 2017,

addressed as follows:

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P.O. Box 340
Johns Island, SC 29457
843-670-3919

(Attorney for Bessie Huckabee)

May 5, 2017

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By: 

JOHN HUGHES COOPER, ESQUIRE

LISA FISHER, ESQUIRE,

PRO HAC VICE

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