

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Judge

Appellate Case No. 2016-001653

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MAY 12 2017

SC Court of Appeals

83410

William Rice Cook, III,.....Appellant,

v.

Benny Richard Phillips, Jr., and the real property located at 207 North Avenue,
Anderson, SC 29625 TMS # 123-26-08-02.....Respondents.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANT'S INITIAL REPLY BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

Andrew S. Radeker
S.C. Bar No. 73743
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211

Daniel L. Draisen
S.C. Bar No. 13536
Timothy A. Nowacki
S.C. Bar No. 100967
Krause, Moorhead & Draisen, PA
207 E. Calhoun Street
Anderson, South Carolina 29621
(864) 225-4000

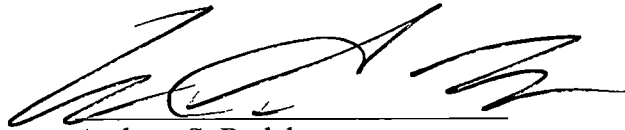
Attorneys for Appellant

Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 10-day extension (to May 25, 2017) of the time in which to serve and file Appellant's Initial Reply Brief and any accompanying Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal is currently May 15, 2017.
2. This is the first extension of this deadline that Appellant has sought.
3. The undersigned counsel has a number of other writing deadlines, a mediation, and court appearances in the upcoming days, and he could use some additional time to draft the reply brief.
4. As shown by the attached email message, opposing counsel consents to the requested extension.
5. Appellant's counsel believes there is good cause to grant the requested 10-day extension to May 25, 2017.

WHEREFORE Appellant prays for an order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal by 10 days, to May 25, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', written over a horizontal line.

Andrew S. Radeker
S.C. Bar No. 73743
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211

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Krause, Moorhead & Draisen, PA
207 E. Calhoun Street
Anderson, South Carolina 29621
(864) 225-4000

Attorneys for Appellant

May 12, 2017

Drew Radeker

From: Michael Mullinax <mikemullinax@charter.net>
Sent: Friday, May 12, 2017 9:30 AM
To: Drew Radeker
Cc: 'Laura Mullinax'
Subject: RE: Cook v. Phillips appeal

I consent.

Michael F. Mullinax

Mullinax Law Firm, P.A.
Post Office Box 2665
Anderson, SC 29622
P: (864) 261-6242
F: (864) 261-6680

mikemullinax@charter.net

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From: Drew Radeker [mailto:Drew@harrisonfirm.com]
Sent: Thursday, May 11, 2017 5:42 PM
To: Michael Mullinax
Subject: RE: Cook v. Phillips appeal

Mike:

Would you consent to an extension of our deadline to serve and file the reply brief until May 25?

Thanks.

Drew Radeker

HARRISON & RADEKER, P.A.

ATTORNEYS AT LAW

*Real Estate / Property Disputes · Foreclosure · Media Law · Zoning · Criminal Defense · Appeals
Personal Injury · Consumer Law · Mediation/Arbitration · False Arrest · Commercial Litigation*

923 Calhoun Street, Columbia, South Carolina 29201
Post Office Box 50143, Columbia, South Carolina 29250
Telephone: (803) 779-2211
Facsimile: (803) 779-6700
<http://www.harrisonfirm.com/>

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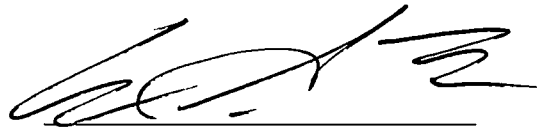
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PROOF OF SERVICE

I certify that I served the foregoing motion for extension by depositing a copy
of it on the date shown below in the United States Mail, postage prepaid, addressed as
follows:

Michael F. Mullinax, Esq.
Mullinax Law Firm, P.A.
P.O. Box 2665
Anderson, SC 29622

May 12, 2017



Andrew S. Radeker

LAW OFFICES
HARRISON & RADEKER, P.A.
923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

James C. Harrison, Jr.*
Andrew S. Radeker
Taylor M. Smith IV

P.O. Box 50143
Columbia, SC 29250

(803) 779-2211
(803) 779-6700 (FAX)

* Mediator/Arbitrator

May 12, 2017

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SC Court of Appeals

VIA HAND DELIVERY

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

Re: **William Rice Cook, III v. Benny Richard Phillips, Jr., et al.**
Appellate Case No.: 2016-001653

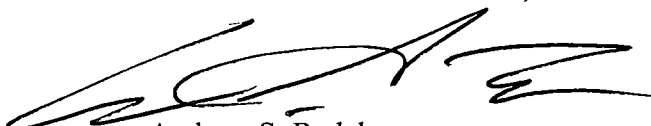
Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and seven copies of a motion for extension of time, with attached proof of service thereof. Also enclosed is this firm's check in the amount of \$25.00 as the motion fee.

Kindly file these documents and return a file-stamped copy to this office in the stamped and addressed envelope enclosed. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: Daniel L. Draisen, Esq.
Timothy A. Nowacki, Esq.
Michael F. Mullinax, Esq.