

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SALUDA COUNTY  
In The Circuit Court

Jocelyn Newman, Circuit Court Judge

RECEIVED  
JUL 28 2017  
SC Court of Appeals

Appeal No.: 2017-000198

Amy Potts.....Respondent.

v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey J. McCarty and Jane Doe .....Appellants.

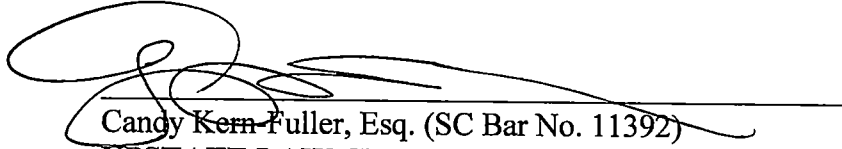
**MOTION FOR EXTENSION OF TIME  
TO FILE FINAL BRIEFS**

The appellants, McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey J. McCarty and Jane Doe, by and through their undersigned Counsel, hereby move before the South Carolina Court of Appeals, pursuant to South Carolina Appellate Court Rule 240 for an extension of time from August 8, 2017, until August 14, 2017, for the parties to file their final briefs.

The undersigned consulted by email with counsel for Respondent while assembling the Record on Appeal because there were errors in the Respondent's Designation of Matter. Appellants' counsel was able to resolve most of the conflicts and duplicates in the Respondent's designation, except for one. Appellants' counsel consulted with Respondent's counsel on Wednesday, July 19, 2017, per his designated communication method (email) about that one unresolved problem, but did not get a response that business day. Unfortunately, the next day (Thursday, July 20, 2017) the undersigned's office was changing over internet service providers and this caused further delay.

The record was bound and mailed today (Monday, July 24, 2017) and this request for an extension is to accommodate the fact that the Record on Appeal was not served on Respondent until today as a result of the afore-mentioned issues and to afford Respondent the full twenty (20) days required under the rules to serve her final brief.

The undersigned certifies that efforts to consult with Respondent's Counsel regarding this matter would not be useful.



Candy Kern Fuller, Esq. (SC Bar No. 11392)

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July 24, 2017

**ATTORNEY FOR APPELLANT**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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JUL 28 2017

SC Court of Appeals

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APPEAL FROM SALUDA COUNTY  
In The Circuit Court

Jocelyn Newman, Circuit Court Judge

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C.A. No.: 2015-CP-41-139

Amy Potts.....Respondent.

v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey  
J. McCarty and Jane Doe .....Appellants.

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**PROOF OF SERVICE**

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I certify that I have served the Record on Appeal and the Motion to Extend Time to File Final Briefs by depositing the below indicated copies of them via the United States Mail, Certified Mail, Return Receipt Requested, with proper postage affixed thereto, on July 24, 2017, addressed as follows:

***Three copies of the Record on Appeal, a copy of the Appellant's Motion to Extend Time, and a copy of this Proof of Service to:***

Mr. Frank S. Potts  
State Fiscal Accountability Authority  
1201 Main Street  
Suite 350 (Capitol Center)  
Columbia, SC 29201

Mr. Michael Evan Lacke  
Lacke Law Firm, LLC  
147 Wappoo Creek Dr., Ste. 204  
Charleston, SC 29412

***An original and six copies of the Motion to Extend Time and this Proof of Service to the Clerk for the Court of Appeals:***

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



Candy Kern-Fuller, Esq. (SC Bar No. 11392)

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**ATTORNEY FOR APPELLANT**

July 24, 2017

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