

THE STATE OF SOUTH CAROLINA
South Carolina Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Honorable Marvin H. Dukes, III

Appellate Case No.: 2017-000620

BURTON FIRE DISTRICT

Respondent,

vs.

CITY OF BEAUFORT

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Appellant.

And

AUG 07 2017

BURTON FIRE DISTRICT

SC Court of Appeals

Respondent,

vs.

TOWN OF PORT ROYAL

Appellant.

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

The Respondent would respectfully request a thirty (30) day extension of time within which to file the Initial Brief of the Respondent and the Respondent's Designation of Matter to be Included in the Record on Appeal. This request is made due to the fact that Respondent's attorney has fallen ill, was diagnosed last Monday (July 31, 2017) with pneumonia and probable

bronchitis for which he is currently receiving treatment and does not anticipate returning to the office full time for at least one more week, maybe a little longer.

This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Appellant.

It is accordingly respectfully requested that the Respondent be granted until September 4, 2017 to file the Respondent's Initial Brief and the Respondent's Designation of Matter to be Included in the Record on Appeal.

MOSS, KUHN & FLEMING, P.A.

By:  _____

H. Fred Kuhn, Jr.
1501 North Street
Post Office Drawer 507
Beaufort, South Carolina 29901
(843)524-3373
(843)524-1302- FX

Beaufort, South Carolina
August 3, 2017

Attorneys for Respondent

CERTIFICATE OF SERVICE

Undersigned certifies that the Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal, to which this certificate is affixed, was served upon the party (s) to this action by hand delivery, certified mail or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

Mary Bass Lohr, Esquire
Howell, Gibson & Hughes, P.A.
Post Office Box 40
Beaufort, South Carolina 29901

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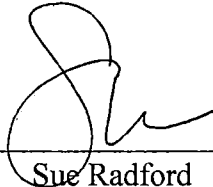
AUG 07 2017

SC Court of Appeals

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on August 3, 2017.

MOSS, KUHN & FLEMING, P.A.

By: _____


Sue Radford

LAW OFFICES

MOSS, KUHN & FLEMING P.A.

JAMES H. MOSS
H. FRED KUHN, JR.
CORY H. FLEMING*

1501 North Street P.O. Drawer 507~Beaufort, South Carolina 29901-0507
TELEPHONE 843-524-3373
FAX 843-524-1302

*ALSO MEMBER OF GA BAR

August 3, 2017

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

RE: Burton Fire District v. City of Beaufort and Town of Port Royal
Appellate Case No.: 2017-000620

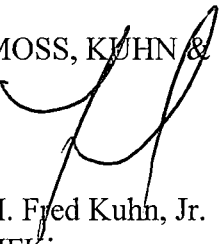
Dear Mrs. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in Record on Appeal regarding the above-referenced matter along with my firms check in the amount of \$25.00 for the filing of the same. I would appreciate your returning one (1) filed copy to me in the enclosed self-addressed stamped envelope. By copy of this letter I am serving a copy of this motion on Mary Bass Lohr, Esquire.

With kindest regards, I am

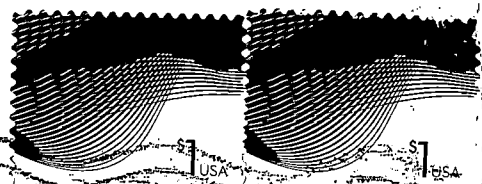
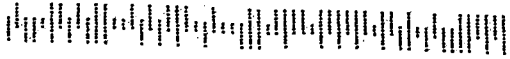
Very truly yours,

MOSS, KUHN & FLEMING, P.A.



H. Fred Kuhn, Jr.
HFKjr:sr
Enclosures

cc: Mary Bass Lohr, Esquire (w/enclosure)



MOSS, KUHN & FLEMING, P.A.

HFK

ATTORNEYS AT LAW
1501 North Street
P.O. Drawer 507
Beaufort, SC 29901-0507
(843) 524-3373

BFD

To:

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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Columbia, South Carolina 29211

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