

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

RECEIVED

AUG 17 2017

SC Court of Appeals

Edward W. Miller, Circuit Court Judge
Case No. 2008-CP-23-5739
Appellate Case No.: 2017-000690

Andrew P. (Andy) Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes, III,
and Warpath Development, Inc., is Petitioners,

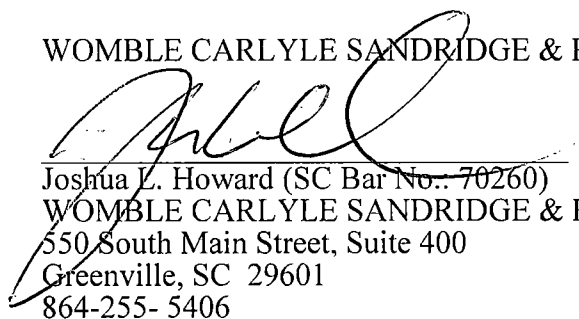
Of Whom Tim Robertson is Appellant.

**APPELLANT'S MOTION FOR SECOND EXTENSION OF TIME
TO FILE INITIAL BRIEF**

Pursuant to Rule 240 and 263, SCACR, the Appellant requests a 30-day extension of the deadline for filing the initial brief and designation of matter to be included in the record on appeal. The current deadline is August 20, 2017. This is the second and final request for an extension of this deadline and Respondents/Petitioners have no objection to said request.

Respectfully submitted,

WOMBLE CARLYLE SANDRIDGE & RICE LLP



Joshua L. Howard (SC Bar No.: 70260)
WOMBLE CARLYLE SANDRIDGE & RICE LLP
550 South Main Street, Suite 400
Greenville, SC 29601
864-255- 5406

Attorneys for Appellant, Tim Roberson

This 18 day of August, 2017
Greenville, South Carolina



Other Counsel of Record:

Wallace K. Lightsey
William M. Wilson, III
Wade Stackhouse Kolb, III
Amos Workman
WYCHE, P.A.
44 East Camperdown Way
Greenville, SC 29601
Tele: 864-242-8200
Fax: 864-235-8900
Email: wlightsey@wyche.com

Attorneys for Respondent Andrew P. (Andy) Ballard

James W. Fayssoux, Sr., Esq.
209 E. Washington Street
Greenville, SC 29601

Attorney for Petitioners Rick Thoennes and Rick Thoennes, III

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge
Case No. 2008-CP-23-5739
Appellate Case No.: 2017-000690

RECEIVED

AUG 17 2017

SC Court of Appeals

Andrew P. (Andy) Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes, III,
and Warpath Development, Inc., is Petitioners,

Of Whom Tim Robertson is Appellant.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of the APPELLANT’S MOTION FOR SECOND EXTENSION OF TIME TO FILE INITIAL BRIEF by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, address as follows:

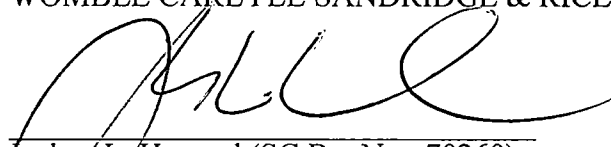
Wallace K. Lightsey
William M. Wilson, III
Wade Stackhouse Kolb, III
Amos Workman
WYCHE, P.A.
44 East Camperdown Way
Greenville, SC 29601
864-242-8200
Attorneys for Respondent

James W. Fayssoux, Sr., Esq.
209 E. Washington Street
Greenville, SC 29601
*Attorney for Petitioners Rick
Thoennes and Rick Thoennes, III*

Counsel’s Signature Block on Next Page

Respectfully Submitted,

WOMBLE CARLYLE SANDRIDGE & RICE LLP

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

Joshua L. Howard (SC Bar No.: 70260)
WOMBLE CARLYLE SANDRIDGE & RICE LLP
550 South Main Street, Suite 400
Greenville, SC 29601
864-255- 5406
Attorneys for Appellants/Petitioners

This 15 day of August, 2017
Greenville, South Carolina



550 South Main Street
Suite 400
Greenville, SC 29601

Mailing Address:
Post Office Box 10208
Greenville, SC 29603
Telephone: (864) 255-5400
Fax: (864) 255-5440
www.wcsr.com

Joshua L. Howard
Direct Dial: (864) 255-5406
E-mail: jhoward@wcsr.com

RECEIVED

AUG 17 2017

SC Court of Appeals

August 15, 2017

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

Re: Andrew P. (Andy) Ballard v. Rick Thoennes, Rick Thoennes, III and Warpath
Development, Inc.
C.A. No.: 2008-CP-23-05739
Appellate Case No. 2017-000690

Dear Ms. Kitchings:

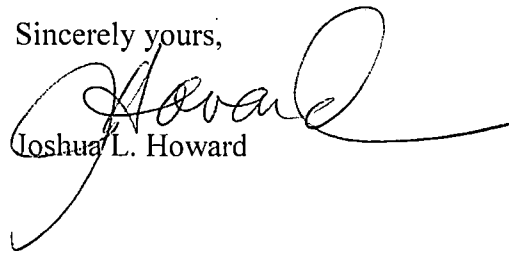
Appellant Tim Robertson requests an additional thirty (30) day extension of time in which to file and serve its Initial Brief and Initial Designation of Matter to be included in the Record on Appeal. The current deadline is August 20, 2017. This is the Appellant's second and final request for an extension of time.

In this regard, enclosed please find an original and two copies of a *Appellant's Motion for Second Extension of Time to File Initial Brief* in the above matter. Please return the clocked copies to us in the self-addressed, stamped envelope provided. A check in the amount of \$25.00 is enclosed to cover the applicable filing fee.

Thank you in advance for your attention to this request.

With kind regards, I remain

Sincerely yours,



Joshua L. Howard

JLH/cpt
Enclosure (as stated)

WOMBLE
CARLYLE
SANDRIDGE
& RICE
Enclosure (as stated)

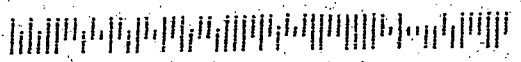
cc: Wallace Lightsey, Esq.
William M. Wilson, III, Esq.
Wade Stackhouse Kolb, III, Esq.
Amos Workman, Esq.
James W. Fayssoux, Sr. Esq.

NEOPOST FIRST-CLASS MAIL
08/15/2017
US POSTAGE \$001.61⁰
ZIP 29601
041L11255004

After Five Days Return To
WOMBLE CARLYLE SANDRIDGE & RICE
A LIMITED LIABILITY PARTNERSHIP

Post Office Box 10208
Greenville, SC 29603

FIRST CLASS MAIL



WOMBLE
CARLYLE
SANDRIDGE
& RICE
A LIMITED LIABILITY
PARTNERSHIP

Post Office Box 10208
Greenville, SC 29603

RECEIVED
AUG 17 2017
SC Court of Appeals

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