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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Appellate Case No. 2017-001551
Lower Court Case No. 2008-CP-23-5739

RECEIVED

SEP 12 2017

SC Court of Appeals

Andrew P. Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes, III, and Warpath Development, Inc.,
Defendants,

Of Whom Rick Thoennes, III, is the Appellant.

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

Pursuant to Rules 240 and 263, SCACR, Appellant Rick Thoennes, III, respectfully moves for an extension of fifteen (15) days to file the Appellant's initial brief and designation of matter to be included in the record on appeal. On August 11, 2017, the Court granted Appellant's first request for an extension of time and set the time for serving and filing Appellant's initial brief and designation of matter until September 13, 2017.

Appellant respectfully requests this extension of time as counsel for Appellant is currently scheduled to appear before the Court for oral argument on a separate case that same day on September 13, 2017. Counsel for Appellant has consulted with counsel for the Respondent who advised that he does not object to the granting of the fifteen (15) day extension. If the Court should



grant Appellant's request for an extension of time, the new deadline for the applicable filings would be Thursday, September 28, 2017. This requested extension is not intended to hinder, delay, or prejudice the judicial proceedings.

September 7, 2017



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Defendants,

Of Whom Rick Thoennes, III, is the Appellant.

I certify that I have served the Motion for Extension of Time to File Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal on the Respondent Andrew P. Ballard by depositing a copy of same in the United States Mail, postage prepaid, on the 7th day of September, 2017, addressed to their attorneys of record as follows:

Wallace K. Lightsey (S.C. Bar No. 6476)
William M. Wilson, III (S.C. Bar No. 15808)
Amos A. Workman (S.C. Bar No. 6231)
Wyche, P.A.
44 Camperdown Way
Greenville, SC 29601

Attorneys for Respondent Andrew P. Ballard

Signature Page Follows



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September 7, 2017

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

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SC Court of Appeals

*Re: Andrew P. Ballard vs. Tim Roberson, Rick Thoennes, Rick Thoennes, III, and
Warpath Development, Inc.
Appellate Case No.: 2017-001551
C. A. No. 2008-CP-23-05739*

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of appellant's motion for extension of time to file initial brief and designation of matter to be included in the record on appeal in the above-referenced matter, along our firm's check in the amount of \$25.00 for the filing fee and proof of service of the same.

If we may provide you with any additional information, please do not hesitate to call or email.

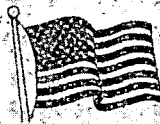
Sincerely,

ELLER TONNSEN BACH, LLC

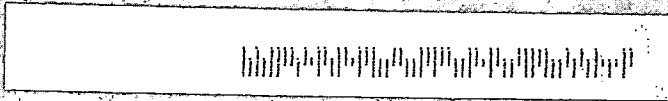
Adam C. Bach

ACB/amp
Enclosures

cc: Attorneys for Respondents:
Wallace K. Lightsey
William M. Wilson, III
Amos A. Workman



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