

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
NOV 28 2017
SC Court of Appeals

Andrew P. (Andy) Ballard, Respondent,

v.

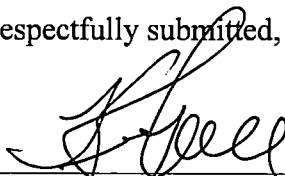
Tim Roberson, Rick Thoennes, Rick Thoennes, III,
and Warpath Development, Inc., is Petitioners,

Of Whom Tim Robertson is Appellant.

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

Pursuant to Rule 240 and 263, SCACR, the Appellant requests a 30-day extension of the deadline for filing the initial reply brief and designation of matter to be included in the record on appeal. According to my calculation the new deadline would be December 28, 2017. I serve on the South Carolina Judicial Merits Selection Committee, which has public hearings scheduled from November 27 – November 30, 2017, and anticipate these hearings will be carried over into December. I need additional time for the reply brief and designation. This is the first request for an extension of this reply deadline.

Respectfully submitted,



Joshua L. Howard (SC Bar No.: 70260)
WOMBLE BOND DICKINSON (US), LLP
550 South Main Street, Suite 400
Greenville, SC 29601
864-255- 5406
Attorneys for Appellant, Tim Roberson

This 28th day of November, 2017
Greenville, South Carolina

Other Counsel of Record:

Wallace K. Lightsey
William M. Wilson, III
Wade Stackhouse Kolb, III
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209 E. Washington Street
Greenville, SC 29601
Attorney for Petitioners Rick Thoennes and Rick Thoennes, III

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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 EXTENSION OF TIME TO FILE REPLY BRIEF by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, address as follows:

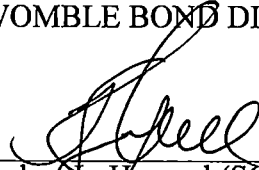
Wallace K. Lightsey
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Thoennes and Rick Thoennes, III*

Counsel’s Signature Block on Next Page

Respectfully Submitted,

WOMBLE BOND DICKINSON (US) LLP



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864-255- 5406

Attorneys for Appellants/Petitioners

This 28th day of November, 2017
Greenville, South Carolina



November 28, 2017

Womble Bond Dickinson (US) LLP

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Columbia, SC 29201

t: 803.454.6504

RECEIVED
NOV 28 2017
SC Court of Appeals

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

Joshua L. Howard
Shareholder
Direct Dial: 864-255-5406
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E-mail: Josh.Howard@wbd-us.com

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 Reply Brief and Designation of Matter to be included in the Record on Appeal. According to my calculations the new deadline would be December 28, 2017. This is the Appellant's first request for an extension of time to file his Reply Brief.

In this regard, enclosed please find an original and two copies of a *Appellant's Motion for Extension of Time to File Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal* 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.

Further, on November 1, 2017 our firm's name was changed to **Womble Bond Dickinson (US), LLP**, please update the court's record accordingly.

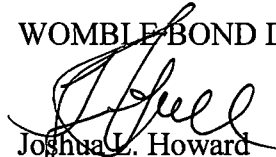
Thank you in advance for your attention to this request.



With kind regards, I remain

Sincerely yours,

WOMBLE BOND DICKINSON (US) LLP



Joshua L. Howard

JLH/cpt

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.