

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2017-00252
Common Pleas Case No. 2010-CP-5743

Gregory J. Feldman, MD, Joseph A. Boscia, III, MD,
and Upstate Lung & Critical Care Specialists, PC,

Appellants,

v.

Ray E. "Chuck" Thompson
and Charles M. Fogarty, MD,

Respondents.

RECEIVED

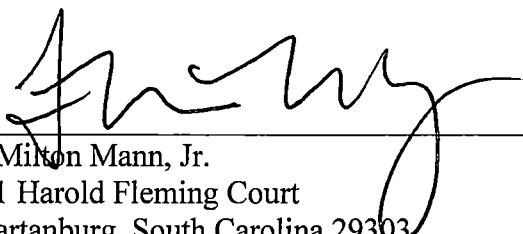
JAN 24 2018

SC Court of Appeals

MOTION TO ORDER HEARING TRANSCRIPT
OUTSIDE OF DEADLINE IN RULE 207, SCACR

Gregory J. Feldman, MD, Joseph A. Boscia, III, MD, and Upstate Lung & Critical Care Specialists, PC, hereby move the Court for an additional forty-five (45) days within which to order the October 19, 2017, hearing transcript outside the deadline established in Rule 207, SCACR. Appellants served their Notice of Appeal on December 6, 2017 and, if granted, Appellants' would have until January 30, 2018 to order the hearing transcript.

January 23, 2018



F. Milton Mann, Jr.
151 Harold Fleming Court
Spartanburg, South Carolina 29303
(864) 680-5079
Attorney for Appellants

Other Counsel of Record:

Matthew H. Henrikson, Esquire (with enclosures)
Henrickson Law Firm
1164 Woodruff Road
Greenville, South Carolina 29607
Phone: (864) 672-7106
Attorney for Respondent Thompson

Ellen Cheek, Esquire (with enclosures)
Wilkes Law Firm
127 Dunbar Street, Suite 200
Spartanburg, SC 29306
Phone: (864) 591-1113
Attorney for Respondent Fogarty

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Case No. 2010-CP-5743

Gregory J. Feldman, MD, Joseph A. Boscia, III, MD,
and Upstate Lung & Critical Care Specialists, PC,

Appellants,

v.

Ray E. "Chuck" Thompson
and Charles M. Fogarty, M.D.,

Respondents.

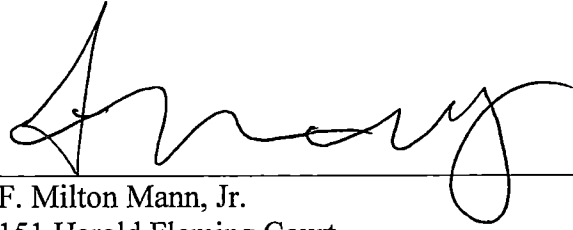
RECEIVED
JAN 24 2010
SC Court of Appeals

PROOF OF SERVICE

I certify that I have served Appellants' Motion to Order Hearing Transcript Outside of Deadline in Rule 207, SCACR and Proof of Service, upon Respondents Ray E. "Chuck" Thompson and Charles M. Fogarty, M.D. by email:

Matthew H. Henrikson, Esquire
Henrickson Law Firm
1164 Woodruff Road
Greenville, South Carolina 29607
Attorney for Respondent Thompson

Ellen Cheek, Esquire
Wilkes Law Firm
127 Dunbar Street, Suite 200
Spartanburg, SC 29306
Attorney for Respondent Fogarty



F. Milton Mann, Jr.
151 Harold Fleming Court
Spartanburg, South Carolina 29303
(864) 680-5079
Attorney for Appellants

January 23, 2018

F. MILTON MANN, JR.

ATTORNEY AT LAW
LICENSED IN SC, GA & FL

January 23, 2018

RECEIVED
JAN 24 2018
SC Court of Appeals

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

BY FACSIMILE & FEDERAL EXPRESS

Re: Gregory Feldman v. Ray Thompson
Appellate Case No. 2017-002522

Dear Ms. Kitchings:

Please find enclosed the original and six (6) copies of Appellants' Motion to Order Hearing Transcript Outside of Deadline in Rule 207, SCACR request for a forty-five (45) day extension in the above-referenced case. Appellants' served their Notice of Appeal on December 6, 2017 and the extension would allow Appellants until January 30, 2018 to request the hearing transcript.

Counsel for Appellant was out-of-state from December 16th until December 21st. Further, counsel's office follows the state holiday schedule and was closed from December 22nd through December 26th for the Christmas holiday and January 1, 2018 for the New Year holiday.

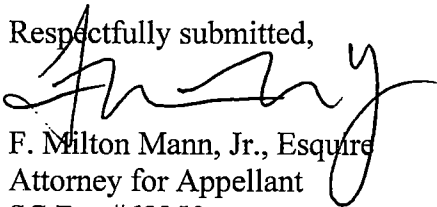
In addition, counsel's mother had been terminally ill for several months and passed away on October 29th. Unfortunately, counsel's father became suddenly ill and passed away on November 20th. Given these circumstances, Appellants respectfully request an additional forty-five (45) days to order the October 19, 2017 hearing transcript outside of deadline in Rule 207, SCACR.

✓

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
January 23, 2018
Page Two

Please apply Appellants' check in the amount of Twenty-Five and 00/100 (\$25.00) Dollars that was previously sent in error to this Motion. By copy of this letter, I am serving a copy on each counsel of record. Thank you in advance for your thoughtful consideration.

Respectfully submitted,



F. Milton Mann, Jr., Esquire
Attorney for Appellant
SC Bar #68250

cc: Ellen Cheek, Esquire (by email w/ enclosures)
Matthew H. Henrickson, Esquire (by email w/ enclosures)

ORIGIN ID: SPAA (864) 384-0421
HOLLY MANN
DIANNE FURTEK
151 HAROLD FLEMING COURT

SPARTANBURG, SC 29303
UNITED STATES US

SHIP DATE: 23JAN18
ACTWGT: 0.80 LB
CAD: 101889815/NET3980

BILL SENDER

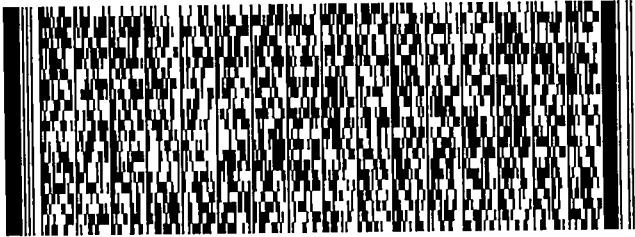
TO THE HONORABLE JENNY ABBOTT KITCHING
SOUTH CAROLINA COURT OF APPEALS
CLERK OF COURT
1220 SENATE STREET,
COLUMBIA SC 29201

(803) 734-1890
INV:
PO:

REF: CASEY

DEPT:

552,11,6D40DCA5



FedEx
Express



JT1810180181ur

FedEx Ship Manager - Print Your Label(s)

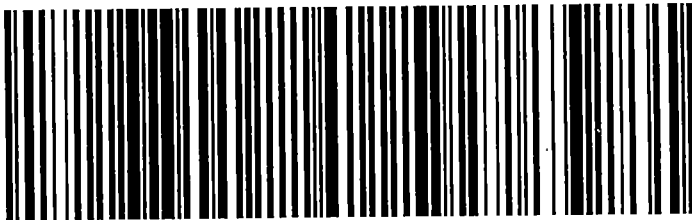
WED - 24 JAN 10:30A
PRIORITY OVERNIGHT

TRK# 7713 0563 9400

0201

XH USCA

29201
SC-US CAE



RECEIVED

JAN 24 2018

SC Court of Appeals

1/23/2018