

THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

MAR 15 2018

The Honorable DeAndrea G. Benjamin, Circuit Court Judge
S.C. SUPREME COURT

Opinion No. 5523 (S.C. Ct. App. filed November 22, 2017)

Edwin M. Smith, Jr., PETITIONER,

v.

David Fedor,RESPONDENT.

**PETITIONER’S MOTION
FOR EXTENSION OF TIME**

Pursuant to South Carolina Appellate Court Rules 242(c) and 263(b), Petitioner Edwin M. Smith, Jr. (“Petitioner”), moves for an extension of ten (10) days from the existing deadline of March 26, 2018 to file his Petition for Writ of Certiorari.

The Court of Appeals filed its Order denying Petitioner’s Petition for Rehearing *En Banc* on February 23, 2018. The undersigned counsel for Petitioner had shoulder replacement surgery on October 20, 2017. On January 10, 2018, the undersigned counsel had total knee replacement surgery. Both surgeries have required the undersigned to go through recovery and undergo extensive post-surgery rehabilitation therapy and treatment. As a result Petitioner’s undersigned counsel was not able to return to the office for work until February 22, 2018, and then only on a sometime part-time basis. Though Petitioner’s undersigned counsel is making a gradual recovery, he is still not able

to work full-time as of this date. As a result Petitioner through his undersigned counsel respectively requests a ten (10) day extension to file his Petition for Writ of Certiorari and Appendix.

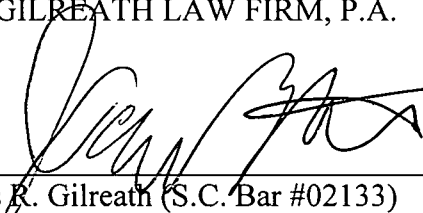
This is Petitioner's first extension request to file his Petition for Writ of Certiorari and Appendix and is based on good cause and not intended for purposes of delay, nor will the requested extension prejudice the rights of any party.

If the ten (10) day extension is granted, Petitioner's Petition for Writ of Certiorari and Appendix will be due by April 5, 2018.

For the reasons set forth herein, Petitioner requests a ten (10) day extension to April 5, 2018 to serve and file his Petition for Writ of Certiorari and Appendix.

Respectfully submitted,

THE GILREATH LAW FIRM, P.A.



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March 14, 2018
Greenville, South Carolina.

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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 **Petitioner's Motion for Extension of Time and cover letters to the Honorable Daniel E. Shearouse, Clerk of the Supreme Court, and the Honorable Jenny Abbott Kitchings, Clerk of the Court of Appeals** by depositing same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows to:

Katherine Carruth Goode, Esquire
229 S. Congress Street
P.O. Box 1175
Winnsboro, South Carolina 29180

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