

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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**APPEAL FROM THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

S.C. SUPREME COURT

Docket Number: 2017-32-E

3109 Hwy. 25 S., L.L.C. d/b/a/
25 Drive-In and Tommy McCutcheon,

Respondent,

v.

Duke Energy Carolinas, LLC,

Appellant.

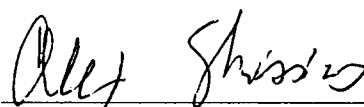
**MOTION FOR EXTENSION OF TIME FOR RESPONDENT
TO SERVE AND FILE INITIAL BRIEF AND DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

John J. Fantry, Jr., Esquire
Alexander G. Shissias, Esquire *SC B0741161A*
The Shissias Law Firm, LLC
1727 Hampton Street
Columbia, South Carolina 29201
803-540-3090

Pursuant to Rule 240, SCACR, respondent 3109 Hwy. 25 S. L.L.C., d/b/a/ 25 Drive-In and Tommy McCutcheon moves for an extension of time in which to serve and file respondent's Initial Brief and Designation of Matter to be included in the Record on Appeal ("Designation of Matter"). Respondent requests an extension of thirty days to file the Initial Brief and Designation of Matter which are currently due June 18, 2018. The deadline for respondent's Initial Brief and Designation of Matter has not been extended previously.

The grounds for this motion are other impending professional matters and obligations have created a need for additional time to prepare the Initial Brief and Designation of Matter. A thirty-day delay will not prejudice the rights of any of the parties. We have notified counsel for the appellant of our intent to file this motion and appellant's counsel has informed us that they have no objection. Granting this motion would require respondent's Initial Brief and Designation of Matter to be filed with the Court no later than July 18, 2018.

Dated this 5th day of June, 2018



John J. Fantry, Jr., Esquire
Alexander G. Shissias, Esquire
The Shissias Law Firm, LLC
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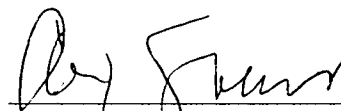
PROOF OF SERVICE

This is to certify that I, Alexander G. Shissias, have this day caused to be served upon the person(s) named below the **Motion for Extension to file initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal on behalf of 3109 Hwy. 25 S., L.L.C. d/b/a/ 25 Drive-in and Tommy McCutcheon** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Frank R. Ellerbe, III
Samuel J Wellborn
Sowell, Gray Robinson Stepp & Laffitte, LLC
P.O. Box 11449
Columbia, SC 29211

Heather Shirley Smith, Esquire
Rebecca J. Dulin, Esq.
Duke Energy Carolinas, LLC
40 West Broad St., Suite 690
Greenville, SC 29601

Dated this 5th day of June, 2018



Alexander G. Shissias