

**THE STATE OF SOUTH CAROLINA**  
In the Court of Appeals

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**APPEAL FROM YORK COUNTY**  
In the Court of Common Pleas  
Sixteenth Judicial Circuit

Daniel D. Hall, Circuit Court Judge

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Appellate Case No. 2018-001040

Docket No. 2015-CP-46-03011

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**RECEIVED**

SEP 05 2018

SC Court of Appeals

Therese Emry and Dakine Elite Automobiles, LLC, Appellants,

v.

Andrew Michael Carpenter, Bendell Moore, Manage My Success and Larry D. Wylie, Defendants,

Of Whom Vashti Encarnacion d/b/a Manage My Success and Bendell Moore are the Respondents.

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

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The Appellant respectfully requests a 30 day extension of time to file the initial brief and designation of matters to be included on appeal. The undersigned has requested and been granted additional time. Good cause exists for another extension. My law partner has been out of the office for an extended period of time, due to three surgeries. As such, I have been dealing with limited assistance in the practice but the last 45 days have been extremely difficult. My mother-in-law, who was in assisted living, fell and broke her shoulder on July 17, 2018 and was hospitalized on July 19, 2018 with surgery on July 23, 2018. She was discharged on July 31, 2018 only to fall again on August 13, 2018 and reinjure her shoulder with a second surgery on August 15, 2018. She did not do well after either surgery and passed away on September 1, 2018. Although she had been ill with ups and

downs for years, the last 45 days have been extremely difficult on my family and I and I have not been able to spend the time necessary to complete appellate work on this and another case. I respectfully request more time and apologize in advance for having to ask. I am attaching a copy of the obituary for my mother-in-law.

September 4, 2018



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Daniel D. D'Agostino  
D'Agostino Law Firm  
25 W. Liberty St.  
York, South Carolina 29745  
(803) 628-6509  
Attorney for Appellants

## DEATHS

### Barbara Palmer

**SALUDA** - Barbara Jean Mitchell Palmer, 76, died Saturday, September 1, 2018 at Opus Post Acute Rehabilitation in West Columbia.

Born in Saluda County and a daughter of Annie Mildred Bedenbaugh Mitchell and the late Eugene Willard Mitchell, Sr., she was the wife of David Shelton Palmer, Jr. Mrs. Palmer was a graduate of Columbia Commercial College and was a retired bookkeeper with Saluda High School and Saluda School District I. She was a member of Sardis Baptist Church.

Surviving are her husband, David Shelton Palmer, Jr., her mother, Annie Mildred Bedenbaugh Mitchell, two daughters, Janet P. D'Agostino (Danlel) of York and Holly P. Beeson (Andy) of Lexington, a brother, Eugene Willard Mitchell, Jr. of Saluda and four grandsons, Gabriel and Michael D'Agostino and Drew and Luke Beeson.

Funeral services will be held 3 p.m., Monday, September 3, 2018 at Sardis Baptist Church with Rev. Mike Bell officiating. Interment will follow in the church cemetery. The family will receive friends following the service.

Memorials may be made to Sardis Baptist Church, 218 Sardis Rd., Saluda, SC 29138.

Memories and condolences may be shared online at [www.rameyfuneralhome.com](http://www.rameyfuneralhome.com)

## DEATHS

Willo R. Sanders

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Of Whom Vashti Encarnacion d/b/a Manage My Success and Bendell Moore are the Respondents.

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**PROOF OF SERVICE**

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I, Daniel D. D'Agostino, do hereby certify that on the 4th day of September, 2018, I served the foregoing **MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF AND DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL** on the following, by depositing copies thereof in the U.S. Mail, postage-paid, in an envelope securely sealed, and addressed to the following:

Vashti Encarnacion  
d/b/a Manage My Success  
772 Pine Grove Ct.  
Rock Hill, SC 29732



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**Daniel D. D'Agostino**  
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Attorney for Appellants



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September 4, 2018

SEP 05 2018

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

**SC Court of Appeals**

RE: Therese Emry and Dakine Elite Automobiles, LLC, Appellants v. Andrew Michael Carpenter, Bendell Moore, Manage My Success and Larry D. Wylie, Defendants of whom Vashti Encarnacion d/b/a Manage My Success and Bendell Moore are the Respondents  
Appellate Case No. 2018-001040

Dear Ms. Kitchings:

Enclosed please find an original and a copy of a Motion for Extension of Time to File Appellant's Brief and Designation of Matters to be Included in the Record on Appeal along with a Proof of Service in reference to the above matter. I also enclose a check for fee of \$25.00.

Please return the filed copy to me in the enclosed self addressed envelope.

With kind regards, I am

Sincerely yours,

Daniel D. D'Agostino  
25 W. Liberty St.  
York, SC 29745  
803-628-6509  
Attorney for Appellants

cc: Therese Emry  
Vashti Encarnacion  
Bendell Moore (no address)