

07736

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Charles B. Simmons, Jr., Master-in-Equity

Appellate Case No. 2018-000985

RECEIVED
SEP 04 2018
SC Court of Appeals

John D. Hatcher, Rachel Shaluly, James Gilbert, Molly Miller and Michael Stehney, individually and as members of the Architectural Committee of Mill Creek Estates, Respondents,

v.

Ron Ferguson and Ronald J. Ferguson, Real One, LLC, and Susan M. Ferguson, Defendants,

Of whom Ron Ferguson, Ronald J. Ferguson, and Susan M. Ferguson are the Appellants.

MOTION

The Appellants, Ron Ferguson, Susan M. Ferguson and Ronald J. Ferguson, hereby requests permission to file their Initial Brief and Designation of Matters to be Included in the Record outside the original filing deadlines.

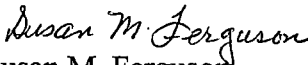
The Appellants would relate unto the Court that on August 28, 2018, at about 10:00 AM, Duke Energy suffered an outage in an area to include 103 Mill Creek Road, Piedmont, South Carolina, 29673; where the equipment used for preparations of the legal pleadings in this matter is located. Upon restoration of the electrical services in the late afternoon it was discovered the hard drive containing the electronic brief was not functioning.

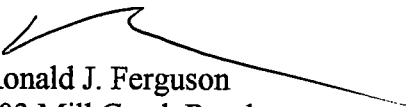
Whereas the underlying action has elapsed more than five (5) years and involves multiple judiciary the brief is not something which could be recreated within a matter of hours as the deadline nears. Accordingly, it was deemed appropriate to notify the Court and seek an extension prior to the expiration of the filing deadline.

These Appellants are unaware if the hard drive contents can be recovered and are requesting an extension to draft a new Initial Brief and Designation of Matters to be Included in the Record.

Respectfully submitted,


Ronald E. Ferguson
103 Mill Creek Road
Piedmont, SC 20673
(864) 509-0169


Susan M. Ferguson
103 Mill Creek Road
Piedmont, SC 29673
(864) 509-0169


Ronald J. Ferguson
103 Mill Creek Road
Piedmont, SC 20673
(864) 509-0169

August 30, 2018

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Charles B. Simmons, Jr., Master-in-Equity

Appellate Case No. 2018-000985

RECEIVED
SEP 04 2018
SC Court of Appeals

John D. Hatcher, Rachel Shaluly, James Gilbert, Molly Miller and Michael Stehney, individually and as members of the Architectural Committee of Mill Creek Estates, Respondents,

v.

Ron Ferguson and Ronald J. Ferguson, Real One, LLC, and Susan M. Ferguson, Defendants,

Of whom Ron Ferguson, Ronald J. Ferguson, and Susan M. Ferguson are the Appellants.

CERTIFICATE OF SERVICE

I certify, that on this date, I served a copy of the Defendant's Motion for Motion to Dismiss in this action, dated August 29, 2018 on Plaintiff's Attorney of record by

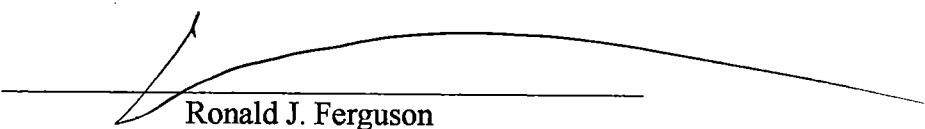
_____ delivering it to him/her personally; or,

_____ mailing it to him/her, at his/her last known address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows; or,

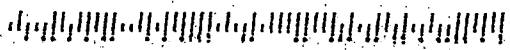
X mailing it to the address indicted by their counsel of record in the Summons as follows:

Rodney M. Brown
210 S. main Street
Fountain Inn, SC 29644

This the 30th day of August, 2018.



Ronald J. Ferguson



Ronald Ferguson
103 Mill Creek Road
Piedmont, SC 29673



1000



29211

U.S. POSTAGE PAID
FCM LG ENV
GREENVILLE, SC
29610
AUG 31, 18
AMOUNT

\$1.84

R2305K137390-16

RECEIVED
SEP 04 2018
SC Court of Appeals

The Honorable Jenny Abbott Kitching
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211