

88095

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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

Daniel D. Hall, Circuit Court Judge

Appellate Case No. 2018-001040

Docket No. 2015-CP-46-03011

RECEIVED
OCT 15 2018
SC Court of Appeals

Therese Emry and Dakine Elite Automobiles, LLC, Appellants,

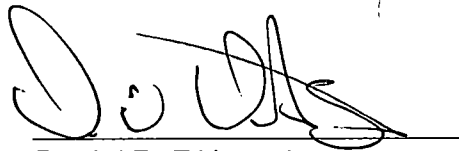
v.

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.

MOTION TO FILE INITIAL BRIEF AND DESIGNATION OF MATTERS TO BE INCLUDED ON THE RECORD ON APPEAL OUTSIDE OF TIME LIMIT

The Appellants requested an extension of time to file Appellants' Initial Brief and Designation of Matters to be Included on the Record on Appeal due to personal matters. The Appellants were working on the matters and were waiting for a response from the Court. Appellants inquired of the Court on October 4, 2018 as to the status. In addition, due to the undersigned's heavy caseload, trial appearances, and personal matters, I was unable to complete the brief prior to October 12, 2018. Appellants request to be allowed to file this Initial Brief and Designation of Matters to be Included on the Record on Appeal at this time. Appellants received the grant of an extension of time on October 9, 2018 that the Appellants were granted an extension until October 5, 2018.

October 12, 2018

A handwritten signature in black ink, appearing to read 'D. D'Agostino', written over a horizontal line.

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



Daniel D. D'Agostino | Jacqueline N. Davis

25 West Liberty Street
York, South Carolina 29745

Phone 803.628.6509 | Fax 803.628.7990

www.dagostinolawyers.com

October 12, 2018

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

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 to File Initial Brief and Designation of Matters to be Included on the Record on Appeal Outside of Time Limit, Appellants' Initial 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 for the motion fee.

Please return the filed copies 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)

RECEIVED

OCT 15 2018

SC Court of Appeals

D'Agostino Law Firm
25 W. Liberty St.
York, SC 29745

RECEIVED
OCT 15 2010
SC Court of Appeals

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