

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Probate Court
Court of Common Pleas

The Hon. Jennifer B. McCoy, Circuit Court Judge
The Hon. Tamara C. Curry, Probate Court Judge

Case No. 2018-001680

Elizabeth Murray as Personal Representative
of the Estate of Minnie H. Murray and Elizabeth
Stylesetters,

Appellants,

v.

The Estate of William E. Murray,

Respondent,

MOTION TO FILE OUTSIDE OF TIME AND MOTION FOR EXTENSION

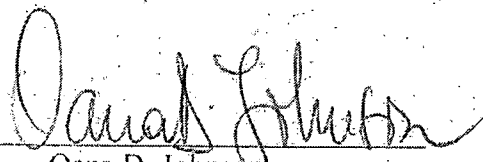
Counsel for Appellants respectfully requests an order granting leave to file Appellants' Initial Brief outside of time. Appellants served their Notice of Appeal in this matter on September 6, 2018.

This is an appeal from Probate Court's Orders granting Respondent's Motion for Summary Judgment and Circuit Court's Order affirming the Order Granting the Motion for Summary Judgment. The transcript for the Probate Court proceedings was ordered prior to the appeal to Circuit Court and received prior to filing the appeal to Circuit Court. The transcript for the Circuit Court proceedings was requested and received by Appellant on September 4, 2018. Because Appellant had all transcripts in its possession at the time of filling the appeal

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Appellants' Initial Brief was due on October 8, 2018. Due to threats of inclement weather during the month of September and October, several evacuation orders were issued for the Charleston area and counsel's office was closed. As a result, counsel failed to properly calendar and timely file Appellants' Initial Brief on October 8, 2018.

Counsel respectfully requests leave to file Appellants' Initial Brief outside of time and for extension making Appellants' Initial Brief due November 7, 2018.



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ATTORNEYS FOR APPELLANTS

This 13th day of October 2018
Charleston, South Carolina

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

**APPEAL FROM CHARLESTON COUNTY
Probate Court
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The Hon. Jennifer B. McCoy, Circuit Court Judge
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PROOF OF SERVICE

I certify that I have served copies of the forgoing Motion to file outside of time and for extension on all counsel of record by depositing true and correct copies with the US Postal Service, postage prepaid, on October 13, 2018 addressed to the following:

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ATTORNEYS FOR RESPONDENT

J. James Duggan, Esquire
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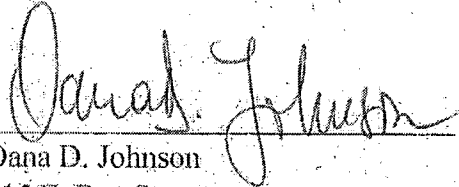
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ATTORNEYS FOR APPELLANTS

This 13th day of October 2018
Charleston, South Carolina

OANA D. JOHNSON

-ATTORNEY AT LAW-

October 8, 2018

13

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia SC 29211-1629

RE: Elizabeth Murray v. The Estate of William E. Murray
Appellate Case No. 2018-001680

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Dear Ms. Kitchings,

Enclosed please find the original and seven (7) copies of Appellants' Motion for Leave to file outside of time and extension to file Appellants' Initial Brief, together with our check in the amount of \$50 for filing fee.

Please file the original and return one copy to us in the self addressed stamped envelope enclosed.

Very Truly Yours,



Oana D. Johnson

ODJ/

Cc: Mary Agnès Hood Craig, Esquire
Jean Marie Jennings, Esquire
J. James Duggan, Esquire
John B. Hagerty, Esquire
Richard S. Rosen, Esquire
George J. Kefalos, Esquire (via email)
Stephen

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