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STATE OF SOUTH CAROLINA
IN THE
SUPREME COURT

S.C. SUPREME COURT

Appeal from the Court of Common Pleas for Charleston County
Honorable J. C. Nicholson, Jr., Circuit Judge
Civil Action Nos.: 2010-CP-10-9096 and 2011-CP-10-8840
419 S.C. 48, 795 S.E.2d 857 (Ct.App. 2016)
___ S.C. ___, ___ S.E.2d ___ (2018) (2018 WL 6072352)

Frank Gordon, Jr., Individually and as Trustee
of the Dorothy S. Gordon (Deceased) Trust,

Respondent,

v.

Donald W. Lancaster,

Petitioner.

**Motion for Extension of Time To
Respond to Petition to Rehearing**

Stephen P. Groves, Sr., Esquire
S.C. Bar No. 007854
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206
E-Mail: SGroves@nexsenpruet.com

John J. Dodds, III, Esquire
S.C. Bar No. 001707
CISA & DODDS
858 Lowcountry Boulevard, Suite 101
Mount Pleasant, South Carolina 29464
Telephone: 843.881.6530
E-Mail: john@cisadodds.com

Attorneys for the Appellant

TO: THE HONORABLE JUSTICES OF THE SOUTH CAROLINA SUPREME COURT:

COMES NOW the Petitioner, Donald W. Lancaster ("Mr. Lancaster"), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Supreme Court to grant him a ten (10) day extension of time in which to file his Response to the Petition for Rehearing submitted by the Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust ("Mr. Gordon"), in this appellate matter. The basis for this motion is that the undersigned's wife has been ill for the past nine days. Furthermore, since the undersigned received this Supreme Court's request for a response on 31 December 2018, he was also ill for the next three days.

Based upon the current briefing schedule Mr. Lancaster's Response to the Petition for Rehearing is currently due to be served on or before **Monday, 7 January 2019**. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Mr. Lancaster would be required to serve his Response to the Petition for Rehearing on or before **Thursday, 17 January 2019**.

Finally, Mr. Lancaster respectfully requests this Supreme Court to hold the briefing time in abeyance until such time as this joint motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC

By: 

Stephen P. Groves, Sr., Esquire

SC Bar No. 007854

205 King Street, Suite 400

Charleston, South Carolina 29401

Telephone: 843.720.1725

Telecopier: 843.414.8206

E-Mail: SGroves@nexsenpruet.com

John J. Dodds, III, Esquire

SC Bar No. 001707

CISA & DODDS

858 Lowcountry Boulevard, Suite 101

Mount Pleasant, South Carolina 29464

Telephone: 843.881.6530

E-Mail: john@cisadodds.com

Attorneys for the Appellant

Charleston, South Carolina

4 January 2019

NPCHAR1:2555452.1-APL-(SPG) 053211-00001

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**Proof of Service for
Motion for Extension of Time**

Stephen P. Groves, Sr., Esquire
S.C. Bar No. 007854
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206
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S.C. Bar No. 001707
CISA & DODDS
858 Lowcountry Boulevard, Suite 101
Mount Pleasant, South Carolina 29464
Telephone: 843.881.6530
E-Mail: john@cisadodds.com

Attorneys for the Appellant

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 4 January 2019, I served a copy of the **Motion for Extension of Time in Which to Serve Response to Petition for Rehearing** submitted by the Petitioner, Donald W. Lancaster, on counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows:

Justin O'Toole Lucey, Esquire
Stephanie L. Drawdy, Esquire
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mount Pleasant, South Carolina 29201
Telephone: 843.849.8400
Telecopier: 843.849.8406
E-Mail: jlucey@lucey-law.com
sdrawdy@lucey-law.com

Attorneys for the Respondent

Signed: _____

Stephen P. Groves, Sr.

Charleston, South Carolina

4 January 2019

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