

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

66569

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2010-CP-42-00462

ROBERT W. EDWARDS, JR.,Appellant,

v.

LINDA N. JORDAN,Respondent.

APPELLANT'S MOTION FOR LEAVE
TO FILE FINAL BRIEF OUT OF TIME

Pursuant to Rules 211(a), 240, and 263(b), SCACR, Appellant hereby moves this Court to permit Appellant to file its Final Brief out of time. Appellant served the Record on Appeal on November 15, 2012 and, pursuant to Rule 211(a), his final brief was due on December 5, 2012. An attorney with the law firm representing Appellant was previously assisting with this appeal. Following that attorney's departure from the law firm this week, it came to the counsel's attention today that Appellant's Final Brief has not been filed.

Accordingly, Appellant requests a 30 day extension to file its Final Brief out of time. If this motion is granted, Appellant's Final Brief will be due on or before January 4, 2012.

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SC Court of Appeals

Appellant's counsel has attempted to consult with counsel for Respondent concerning this request but has not yet been able to speak with Respondent's counsel.

Respectfully submitted,

HOLCOMBE BOMAR, P.A.



William B. Darwin, Jr.
Post Office Box 1897
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(864) 594-5300

Attorneys for Appellant

Spartanburg, SC

December 12, 2012

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2010-CP-42-00462

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v.

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PROOF OF SERVICE

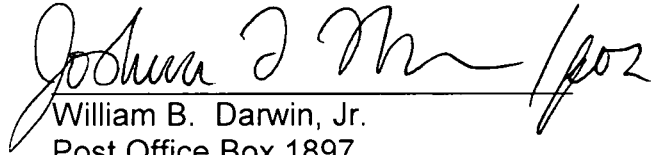
I certify that I have served Appellant's Motion for Leave to File Final Brief Out of Time on the following parties by depositing a copy of it in the United States Mail, postage prepaid, on December 12, 2012, addressed to the attorneys of record listed below:

Raymond A. Tate, Jr.
Doyle, Tate, McDade, P.A.
P.O. Box 2125
Anderson, South Carolina 29622
Attorney for Respondent

[Signature block on next page.]

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December 12, 2012



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Vollie C. Bailey, IV
Neville Holcombe, 1902-1983
Horace L. Bomar, 1912-1994

December 12, 2012

The Honorable Jenny Kitchings
Clerk of the S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Robert W. Edwards, Jr. v. Linda N. Jordan
Case No. 2010-CP-42-00462
Appellant Case No. 2012-211394
Our File No. 10978

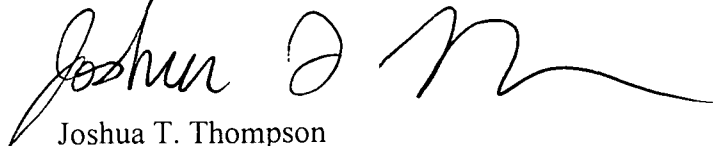
Dear Ms. Kitchings:

I am assisting Kip Darwin as counsel for Appellant Robert W. Edwards, Jr.

Please find enclosed for filing (1) one original and one copy of Appellant's Motion for Leave to File Final Brief Out of Time; and (2) one original and one copy of Proof of Service. Once you have filed the originals, please return filed copies to me in the enclosed prepaid envelope.

Thank you in advance for your attention to this matter. Please do not hesitate to contact with me any questions or concerns.

Sincerely,



Joshua T. Thompson

Enclosures

cc: Raymond A. Tate, Esq. (w/ enclosures)
William B. Darwin, Jr., Esq. (w/o enclosures) (via email only)

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