

# 66842

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
COURT OF COMMON PLEAS

R. Knox McMahon, Circuit Court Judge

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Case No. 2012-2122487  
(2010 CP 32-05211)

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Mariko Marie Clack,

Respondent,

vs.

Eddie Arnold Smith, d/b/a the Lawn Doctor,

Appellant.

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MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S INITIAL BRIEF UNTIL  
FEBRUARY 4, 2013

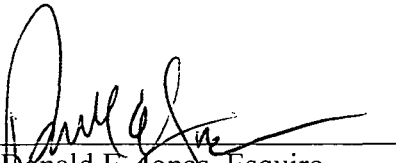
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S. Jahue Moore, Esquire  
John C. Bradley, Jr., Esquire  
MOORE, TAYLOR & THOMAS, P.A.  
1700 Sunset Boulevard  
PO Box 5709  
West Columbia, SC 29171  
Attorney For Appellant

Donald E. Jonas, Esquire  
PO Box 99 (29071)  
142 A.B. Frye Rd.  
Lexington, SC 29073  
(803)309-2483  
Attorney For Respondent

The Respondent respectfully requests an extension of time to file the Respondent's Initial Brief until February 4, 2013. Respondent's Initial Brief is currently due on January 20, 2013. The grounds for this motion are that I have had to temporarily leave my practice and request protection in all pending cases following my son's catastrophic injury followed by an ischemic stroke and paralysis. The situation has again become serious and my wife and I will be residing in Augusta to monitor and assist in his medical care following another episode of the stroke related brain swelling following reversal of the craniotomy procedure. I expect to remain in Augusta until this latest episode is resolved. The brief extension of time requested will allow the completion of this matter given any likely circumstance that may arise.

January 9, 2013



Donald E. Jonas, Esquire  
PO Box 99 (29071)  
142 A.B. Frye Rd.  
Lexington, SC 29073  
Attorney For Respondent  
803-609-1484/309-2483

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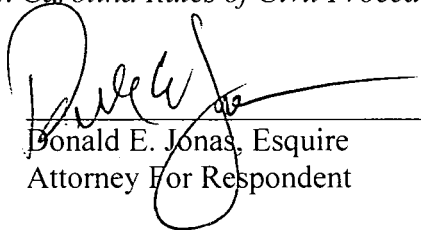
Appellant.

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PROOF OF SERVICE

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I certify that I have served one copy of the Respondent's Motion For Extension Of Time To File Respondent's Initial Brief until February 4, 2013 on the Appellant's Attorney as shown below, by delivery of said documents to the attorney for the Respondent at the address listed below on January 9, 2013, all in accordance with the *South Carolina Rules of Civil Procedure*.

  
Donald E. Jonas, Esquire  
Attorney For Respondent

DONALD E. JONAS  
ATTORNEY AND COUNSELLOR AT LAW  
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Reply To:  
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jonastrialatty@netscape.net

January 9, 2013

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

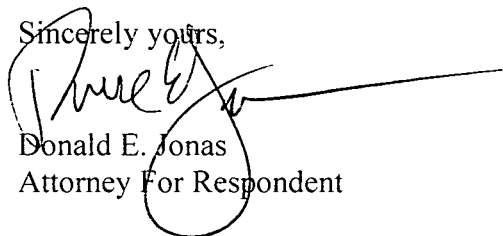
Re: Mariko Clack vs Eddie Arnold Smith, et al. Case No. 2012-2122487 (2010 CP 32-05211)

Dear Ms. Kitchings:

Please find enclosed the original and required copies of the Motion For Extension of Time To File Respondent's Initial Brief Until February 4, 2013. Also enclosed is an Affidavit Of Service and our check for the filing fee

Thanking you for your assistance in this matter, I am

Sincerely yours,



Donald E. Jonas  
Attorney For Respondent

DEJ/sl

Enclosures

cc:

S. Jahue Moore, Esquire  
John C. Bradley, Jr., Esquire  
Moore, Taylor & Thomas, P.A.  
Attorneys For Appellant

**RECEIVED**  
JAN 09 2013

**SC Court of Appeals**