

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

MAY 20 2019

SC Court of Appeals

---

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

---

Appellate Case No. 2018-001-824  
Trial Court Case Nos. 2016-CP-04-02464 and 2016-CP-04-02468

---

John Cross... Appellant,

v.

Gregory A. Weaver, Earl E. Weaver, Terrie Fallow and Jason Seagraves.....  
Respondents,

And

Stephen P. Cross ..... Appellant,

v.

Gregory A. Weaver, Earl E. Weaver, Terrie Fallow and Jason Seagraves.....  
Respondents.

---

MOTION TO FILE INITIAL BRIEF OUT OF TIME


---

Appellant's Initial Brief was filed and served February 19, 2019. Respondents timely requested a thirty-day (30) extension of time to file Respondents' Initial Brief, which was granted. After the extension, Respondents' Initial Brief was due on April 22, 2019. Respondents failed to timely file their Initial Brief. The undersigned had planned to finish working on the Brief on the afternoon of April 22, 2019. However, the undersigned participated in a Hearing in which Plaintiff anticipated would end in the early afternoon which lasted until after 5:00 p.m., which contributed to Respondent's failure to timely file the Brief or a Request for

Extension. The undersigned also appeared at a Hearing on the morning of April 23, 2019 which had not been placed on the undersigned's calendar as the client had been notified directly, with no Notice to the undersigned. Matters had been scheduled for the remainder of the week that delayed completion of the Brief until today, April 26, 2019. Appellant requests permission to file the Brief Out of Time, to be filed.

Date: April 25, 2019

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. Stoddard', is written over a horizontal line. The signature is fluid and cursive.

David F. Stoddard  
Attorney for the Weaver Respondents  
320 East River Street  
Anderson, South Carolina 29622  
Phone (864)375-0000  
Fax (864)375-0052

**RECEIVED**

MAY 20 2019

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2018-001-824  
Trial Court Case Nos. 2016-CP-04-02464 and 2016-CP-04-02468

John Cross.....  
Appellant,

v.

Gregory A. Weaver, Earl E. Weaver, Terrie Fallow and Jason Seagraves.....  
Respondents,

And

Stephen P. Cross.....  
Appellant,

v.

Gregory A. Weaver, Earl E. Weaver, Terrie Fallow and Jason Seagraves.....  
Respondents.

PROOF OF SERVICE FOR MOTION TO FILE  
INITIAL BRIEF OUT OF TIME

I certify on April 26, 2019, that I David F. Stoddard, served Respondents' Motion to File Initial Brief Out of Time, and the Initial Brief on the below parties to this Appeal

by placing copies of same in the U.S. Mail, postage prepaid, addressed to each party as follows:

David J. Brousseau

PO Box 197, Anderson SC 29622

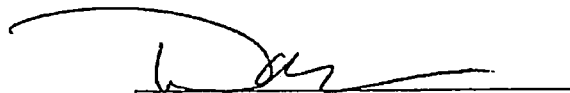
Jason Seagraves

601 Calhoun Rd, Apt 30-D, Belton SC 29627

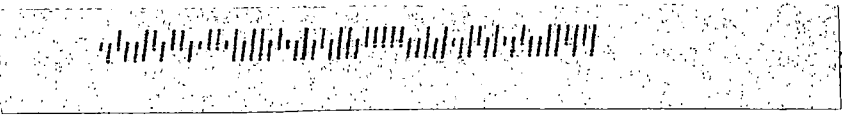
Terrie Fallow

2315 Broadway Lake Rd, Anderson SC 29621

4/25/2019



David F. Stoddard  
320 East River Street  
Anderson, South Carolina 29624  
Phone (864) 375-0000  
Fax (864) 375-0052  
david@stoddlaw.com



*David F. Stoddard*

Attorney  
320 East River Street  
Anderson, SC 29624

**RECEIVED**  
MAY 20 2019  
SC Court of Appeals

The South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211