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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Circuit Court
The Honorable Daniel D. Hall, Circuit Court Judge

Case No. 2015-CP-10-4166
Appellate Case No. 2018-001125

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JUN 03 2019

SC Court of Appeals

Theodore Wagner, Appellant

versus

Designa Print and Mike Davis including anyone who is Complicit or
Enabled protecting Mike Davis, Respondent

MOTION FOR EXTENSTION OF TIME – AMENDED MOTION
FOR THE FILING OF RESPONDENT’S INITIAL BRIEF

Kenneth G. Goode, Jr., Esquire
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Charleston, South Carolina 29407
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kenny@kggilaw.com
ATTORNEY FOR RESPONDENT

Pursuant to South Carolina Appellate Court Rules 240, Respondent, Mike Davis, by and through their undersigned counsel, respectfully moves this Court for an order allowing for the extension of time for the filing of Respondent's Initial Brief. In support of this motion, Respondent would show this Honorable Court as follows:

Appellant filed his Amended Initial Brief and Motion for Extension of Time for Filing, which was granted on February 7th, 2019. That same Order required Respondent to file its initial brief within 30 days of the date of the order, making it due on March 11th, 2019. On March 7th, Respondent filed a motion for extension of time, and incorrectly stated its motion was requesting an extension of time to file a return to Appellant's motion for an extension of time. Respondent's intended purpose for filing its motion was to request an extension of time to file its initial brief. In Respondent's Motion for and Extension of Time, it requested a deadline date of May 1st 2019 to file its initial brief. The Respondent, through its counsel's office, followed up with the Clerk of Court as to a ruling on its motion on a couple of occasions, but did not receive an official order from the Court granting its motion. Respondent did receive a verbal assurance from the clerk's office that the motion would likely be granted. Respondent was never served with an objection from the Appellant to its request, and none was ever filed with the Court.

Acting on its requested May 1st deadline, the Respondent placed in the mail to the Court on April 30th, to meet its timely filing pursuant to South Carolina Appellate Court Rule 262(a)(2), its initial brief. Respondent also served a copy on the Appellant via email and regular mail the same day, its initial brief. Respondent received correspondence from the Clerk's office, Ms. Claire Allen, a notice that its original Motion for Extension was accepted as a motion for an extension to file a return to Appellant's Motion for Extension, when Respondent became aware

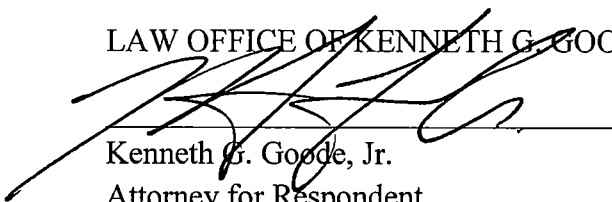
that it had in error requested the wrong extension in its previous motion. This correspondence was dated May 24th, 2019.

In addition to the foregoing, the Respondent prays this Court not punish it for the oversight of its counsel. Counsel for Respondent would also offer, Counsel for Respondent was married on February 2nd, 2019, and the wedding took place in Costa Rica. Counsel was protected around this time for a two week period by the South Carolina Circuit Court. Counsel would only offer that upon his return to work following his wedding and honeymoon, he was catching up on many of his files, including the present matter, thus why his request for an extension asked for an extended deadline of May 1st, 2019.

Based on the foregoing, Respondent asks the Court to allow Respondent to amend its original Motion for Extension of Time to reflect its intended purpose of that filing, which was to ask for an extension of time to file its initial brief rather than a return. In the alternative or in addition to, the Respondent prays for the Court to allow this motion be granted to allow the acceptance of the Respondent's Initial Brief and the extension of time be granted, and this matter be heard on the law and merits contained therein.

Respectfully Submitted,

LAW OFFICE OF KENNETH G. GOODE, JR., LLC.



Kenneth G. Goode, Jr.

Attorney for Respondent

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Charleston, South Carolina
May 30th, 2019

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March 30, 2019

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SC Court of Appeals

The Honorable V. Claire Allen
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Theodore Wagner v. Designa Print and Mike Davis Including Anyone who is
Complicit or Enabled Protecting Mike Davis
Case No.: 2015-CP-10-4166
Appellate Case No.: 2018-001125

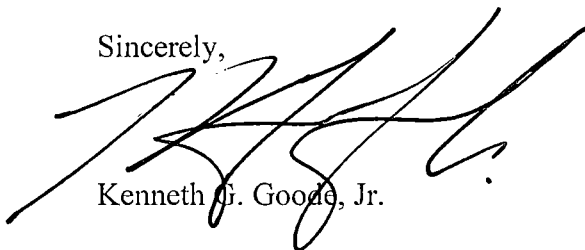
Dear Ms. Allen:

Please find enclosed the Respondent's Motion for Extension of Time—Amended Motion for the Filing of Respondent's Initial Brief and the check for the requisite filing fee for the Amended Motion in the above-referenced matter.

Thank you for returning the filed stamped copy of the Respondent's Motion for Extension of Time—Amended Motion for the Filing of Respondent's Initial Brief in the enclosed self-addressed envelope.

Thank you in advance for your attention to this matter, and please do not hesitate to contact me with any questions, concerns or further instructions.

Sincerely,



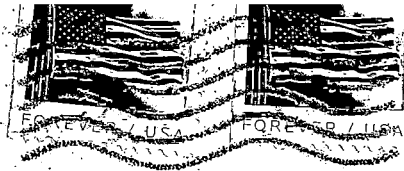
Kenneth G. Goode, Jr.

KGG/web
w/enclosure

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CHARLESTON SC 294

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