

90276

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUL 15 2019

SC Court of Appeals

Appeal from York County
Court of Common Pleas
Jean H. Toal, Circuit Court Judge

Appellate Case No. 2019-000649
Circuit Court Case No. 2013-CP-46-00368

Stephen R. Edwards, Individually and as Personal Representative of the Estate of Steven Redfearn Stewart, Respondent,

v.

Scapa Waycross, Inc., Appellant.

**MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF OF APPELLANT SCAPA WAYCROSS, INC.**

William P. Early, Esquire
Joseph C. Wilson, IV, Esquire
PIERCE SLOAN WILSON KENNEDY & EARLY LLC
The Blake-Grimké House
321 East Bay Street
Post Office Box 22437
Charleston, South Carolina 29413
PH: (843) 722-7733
Fax: (843) 722-7732

S. Christopher Collier, Esquire
Robert B. Gilbreath, Esquire
HAWKINS PARNELL & YOUNG LLP
4000 SunTrust Plaza
303 Peachtree Street NE
Atlanta, GA 30308-3243
Phone: 404-614-7400
Fax: 404-614-7500

Attorneys for Appellant Scapa Waycross, Inc.

NOW COMES Appellant Scapa Waycross, Inc. ("Scapa"), by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and hereby moves this Honorable Court for an extension of thirty (30) days' time to file their Initial Brief in this matter.

Appellant received the transcript in this matter on June 22, 2019. Rule 2018(a)(a), SCACR, provides that Appellant shall file and serve its Initial Brief within thirty (30) days after receiving the transcript. Thus, Appellant's Initial Brief is currently due on July 22, 2019.

Due to work-related and other time commitments and also due to the complexity of this products liability matter, which was tried before a jury, the undersigned counsel for Appellant requests the Court's allowance of thirty (30) days' additional time to file and serve the Appellant's Initial Brief.

Respondent has consented in writing to the request for a thirty (30) day extension of time to file and serve Appellant's Initial Brief.

Respectfully, the undersigned submits there is good cause for the Court to grant the relief requested herein, as it is, under the circumstances, a reasonable dispensation, timely sought, consistent with the interests of justice, posing no threat of undue prejudice to any other party.

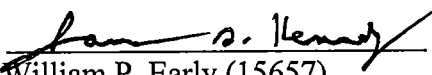
WHEREFORE, this Appellant requests that the Court grant an extension of thirty (30) days' time (running from July 22, 2019) to file its Initial Brief. By the undersigned's calculations, if this request is granted, the new deadline to file the Initial Brief would be August 21, 2019.

ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, this Appellant requests that the Court hold the present deadline for filing the Initial Brief in abeyance until the Court acts on this motion.

[Signature on next page]

**PIERCE SLOAN WILSON KENNEDY & EARLY
LLC**

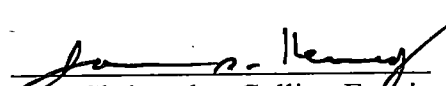
The Blake-Grimké House
321 East Bay Street
Post Office Box 22437
Charleston, South Carolina 29413
PH: (843) 722-7733
Fax: (843) 722-7732
E-Mail: willearly@piercesloan.com

BY: 
For William P. Early (15657)

July 11, 2019
Charleston, South Carolina

HAWKINS PARNELL & YOUNG LLP

4000 SunTrust Plaza
303 Peachtree Street NE
Atlanta, GA 30308-3243
Phone: 404-614-7400
Fax: 404-614-7500

By: 
For S. Christopher Collier, Esquire
Robert B. Gilbreath, Esquire

July 11, 2019
Atlanta, Georgia

Attorneys for Appellant Scapa Waycross, Inc.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUL 15 2019

SC Court of Appeals

Appeal from York County
Court of Common Pleas
Jean H. Toal, Circuit Court Judge

Appellate Case No. 2019-000649
Circuit Court Case No. 2013-CP-46-00368

Stephen R. Edwards, Individually and as Personal Representative of the Estate of Steven Redfearn Stewart, Respondent,

v.

Scapa Waycross, Inc., Appellant.

PROOF OF SERVICE

William P. Early, Esquire
Joseph C. Wilson, IV, Esquire
**PIERCE SLOAN WILSON KENNEDY & EARLY
LLC**
The Blake-Grimké House
321 East Bay Street
Post Office Box 22437
Charleston, South Carolina 29413
PH: (843) 722-7733
Fax: (843) 722-7732

S. Christopher Collier, Esquire
Robert B. Gilbreath, Esquire
HAWKINS PARNELL & YOUNG LLP
4000 SunTrust Plaza
303 Peachtree Street NE
Atlanta, GA 30308-3243
Phone: 404-614-7400
Fax: 404-614-7500

Attorneys for Appellant Scapa Waycross, Inc.

I, William P. Early, Esq. of Pierce Sloan Wilson Kennedy & Early, LLC counsel for Appellant Scapa Waycross, Inc., hereby certify that the foregoing **PETITION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF ON BEHALF OF APPELLANT SCAPA WAYCROSS, INC.** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on July 11, 2019, properly posted for delivery to the following addresses:

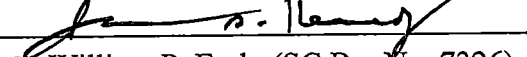
Greg Hyland, Esquire
Hart, Hyland, Shepherd, LLC
207 East 1st North Street
Summerville, SC 29483

Frederick Jekel, Esquire
Jekel-Doolittle, LLC
1512 Laurel Street
PO Box 2597
Columbia, SC 29201

William Graham, Esquire
WALLACE & GRAHAM, P.A.
525 North Main St.
Salisbury, NC 28144

Attorneys for Respondent

Respectfully submitted,
Pierce Sloan Wilson Kennedy & Early LLC

By: 
FOR William P. Early (SC Bar No. 7326)
Attorneys for Appellant Scapa Waycross, Inc.

PIERCE | SLOAN

WILSON KENNEDY & EARLY LLC

ATTORNEYS AND COUNSELORS AT LAW

THE BLAKE-GRIMKÉ HOUSE | 321 EAST BAY STREET
CHARLESTON, SOUTH CAROLINA 29401

POST OFFICE BOX 22437
CHARLESTON, SOUTH CAROLINA 29413

(843) 722-7733
(843) 722-7732 FAX
www.piercesloan.com

CARL E. PIERCE, II
ALLAN P. SLOAN, III *◆
JOSEPH C. WILSON, IV †❖
JAMES G. KENNEDY
WILLIAM P. EARLY ●
SONALY K. HENDRICKS

BENJAMIN C. SMOOT, II ■
J. MORGAN FORRESTER
M. TODD RAINSFORD
CARSON R. PARKER
KATIE L. MILLER
DANIEL F. LYNCH, IV

■ MEMBER SC & VA BAR

* MEMBER SC & FL BAR
◆ CERTIFIED SC CIRCUIT
COURT MEDIATOR
† MEMBER SC, FL & GA BAR
❖ OF COUNSEL
● MEMBER SC & TN BAR

July 11, 2019

VIA US MAIL

Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Stephen R. Edwards v. Scapa Waycross, Inc.
Appellate Case No.: 2019-000649
Our File No: 2708246903

RECEIVED

JUL 15 2019

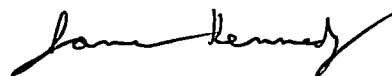
SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Motion for Extension of Time to file Initial Brief on behalf of Appellant Scapa Waycross, Inc., the original and one (1) copy of the Proof of Service of same and our firm's check in the amount of \$50.00 to cover the filing fee. Please file the originals and return court-stamped copies of each to me in the enclosed envelope.

With kind regards,

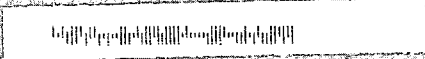
Sincerely,



For William P. Early

WPE/bhc
Enclosure

cc: Gregory L. Hyland, Esquire (via email only)
Frederick J. Jekel, Esquire (via email only)
William M. Graham, Esquire (via email only)



PIERCE | SLOAN

WILSON KENNEDY & EARLY LLC
ATTORNEYS AT LAW
THE PLAZA GRANDE CENTER | 125 EAST BAY STREET
POST OFFICE BOX 2948
COLUMBIA, SC 29201-2948



2708246903

RECEIVED

JUL 15 2019
SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211