

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
D. Garrison Hill, Circuit Judge

Appellate Case No. 2019-000816
Case No. 2013-CP-42-3915

Angie Keene, Individually and as Personal Representative
of the Estate of Dennis Seay, Deceased, and Linda Seay,

Respondents,

v.

CNA Holdings, LLC,

Petitioner.

MOTION FOR EXTENSION OF TIME

Respondents, through their undersigned counsel, hereby move this Honorable Court for an Order granting Respondents a forty-six (46) day extension of time in which to file their Brief, which is presently due on January 2, 2020. If the Court grants the extension, then Respondent's Brief would be due by Monday, February 17, 2020.

Respondents are aware that this Court's Order No. 2014-07-16-01 requires "extraordinary circumstances" for the Court to consider an extension of this length; however, they submit that the following facts are sufficient to warrant the requested relief:

1. Since the beginning of this appeal, Respondents' lead appellate counsel has been Blake A. Hewitt.
2. On February 6, 2019, the General Assembly elected Mr. Hewitt as a Judge to the South Carolina Court of Appeals.
3. On November 1, 2019, this Court granted Petitioner's Petition for Writ of Certiorari.

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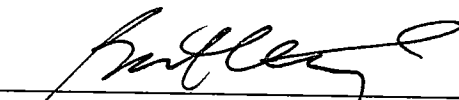
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S. C. SUPREME COURT

4. Because Mr. Hewitt's investiture to the Court of Appeals occurred before the present appeal will be concluded and will, therefore, make him unable to continue as lead counsel for Respondents in the present appeal, Mr. Hewitt filed a motion to be relieved as counsel for Respondents on November 20, 2019.
 5. This Court granted Mr. Hewitt's motion on November 21, 2019.
 6. Petitioner filed its Brief on December 2, 2019.
 7. Bert G. Utsey, III was retained by Respondents to serve as lead appellate counsel and he filed a Notice of Appearance in this matter on December 9, 2019.
 8. The appellate record in this matter is voluminous and will take Mr. Utsey many hours to review before he conducts the research and performs the drafting necessary to submit Respondents' Brief. These tasks will be more difficult given the rapidly approaching holidays and Mr. Utsey's other professional commitments at year-end.
 9. The circumstances outlined above were and are beyond the control of Respondent.
- Appellant's counsel, Bert G. Utsey, III, has consulted with C. Mitchell Brown, counsel for Petitioner, who kindly advised that Petitioner does not oppose this extension request.

Respectfully submitted,

PETERS, MURDAUGH, PARKER,
ELTZROTH & DETRICK, P.A.



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December 12, 2019
Charleston, South Carolina

Attorneys for Respondent

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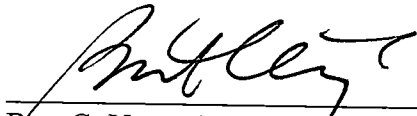
PROOF OF SERVICE BY MAIL

I certify that I have served the MOTION FOR EXTENSION OF TIME on the Appellant herein by mailing same via U.S. First Class Mail, postage prepaid, on December 12, 2019, addressed to counsel of record:

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