

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

The Honorable Donald B. Hocker, Circuit Court Judge

Appellate Case Number: 2019-001514

RECEIVED
JAN 16 2020
SC Court of Appeals

Martha Foster Watts, Appellant,

v.

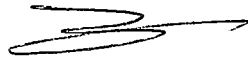
Ricky W. Chastain, Sheriff
Laurens County, South Carolina, Respondent.

MOTION FOR EXTENSION OF TIME

The Appellant received a partial transcript of Record on Appeal on or about December 23, 2019. Thereafter Appellant, on or about December 31, 2019 learned the initial transcript of Record on Appeal did not contain the transcript of the post trial motion. Appellant on January 8, 2020 received the transcript of record in connection with the post trial motion. Appellant now has the entire Record on Appeal and moves this Court pursuant to Rule 240 of the South Carolina Appellate Court Rules to extend until February 8, 2020 to file Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal.

Appellant has attached his affidavit in support of the foregoing.

Dated: January 14, 2020



Thomas J. Thompson
TOWNSEND & THOMPSON
Registered Limited Liability Partnership
Post Office Box 215
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townsendandthompson@gmail.com
Attorney for Appellant

Other Counsel of Record:

Russell W. Harter, Jr.
Chapman, Harter & Harter
Post Office Box 10224
Greenville, South Carolina 29603
rwhjr@chhlaw.net
(864) 233-4500
Counsel for Respondent

A. Cruickshanks, IV
Post Office Box 786
Clinton, South Carolina 29325
(864) 833-5011
lawaciv@att.net
Counsel for the Appellant

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

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Personally appeared before, the undersigned authority, Thomas J. Thompson, who being duly sworn deposes and say as follows:

1. I am over the age of 21 years and competent to give the Affidavit which is based upon my personal knowledge unless indicated otherwise and as to those matters, I believe them to be true.
2. I am the attorney for the Appellant in the matter of Martha Foster Watts, Appellant v. Ricky W. Chastain, Sheriff, Laurens County Sheriff's Office, Respondent (Appellant Case Number 2019-001514).
3. The undersigned filed and served Appellant's Notice of Intention to Appeal on September 5, 2019.
4. The undersigned ordered the transcript of record from the court reporter, Cheryl Smith (Smith) on September 10, 2019 (the trial in the matter commenced April 16, 2019 and ended April 19, 2019).
5. This Court granted Smith until December 26, 2019 to deliver the transcript of record and the transcript of record was delivered to the undersigned on December 23, 2019.
6. The undersigned, during the period December 23, 2019 through December 31, 2019, due to the holiday season, had limited time to devote to this matter and further had limited staff on hand due to prescheduled holiday absences.
7. Appellant, after reviewing the transcript of record provided by Smith, discovered the post-trial motions were not included in the transcript received on December 23, 2019.
8. Deponent discovered the missing portion of the transcript on December 31, 2019, and contacted Smith, who indicated the likely court reporter for the post-trial motions was Sharon Hardoon.
9. Deponent, on December 31, 2019 corresponded with Ms. Hardoon and requested that she provide the missing portions of the transcript as expeditiously as possible.
10. Appellant received the transcript of record (post-trial motions) on January 9, 2020.
11. Appellant, in good faith, believed that Smith had transcribed the entire record on appeal to include the post-trial motions.
12. Appellant, in view of the confusion surrounding the transcripts in question moves the Court pursuant to Rule 240, SCACR for an order extending the time to file and serve Appellant's Initial Brief and proposed Record on Appeal to February 10, 2020.

Respectively submitted,

SIGNATURE PAGE TO FOLLOW

TOWNSEND & THOMPSON
Registered Limited Liability Partnership



Thomas J. Thompson
210 West Laurens Street
Post Office Box 215
Laurens, SC 29360
Telephone: (864) 984-6554
Fax: (864) 984-8000
Attorneys for the Appellant

SWORN to before me this
14th day of January, 2020.



Notary Public for South Carolina
My commission expires: May 16, 2025

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v.

Ricky W. Chastain, Sheriff
Laurens County, South Carolina, Respondent.

PROOF OF SERVICE

I certify that I have served the Appellant's Request for an Extension of Time to file and serve her Initial Brief and Designation of matter to be included in the Record on Appeal on Ricky W. Chastain by depositing a copy of it in the United States Mail, postage prepaid, on January __, 2020, addressed to the attorneys of record, Russell W. Harter, Jr., Chapman, Harter & Harter, Post Office Box 10224, Greenville, South Carolina 29603 and A. Cruickshanks, IV., Post Office Box 786, Clinton, South Carolina 29325.

Dated: January 14, 2020



Thomas J. Thompson
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RICHARD T. TOWNSEND
THOMAS J. THOMPSON

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EMAIL tandt@backroads.net

January 14, 2020

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

RE: **Martha Foster Watts v. Ricky W. Chastain, Sheriff Laurens County, South Carolina**
2019-001514

Dear Ms. Kitchings:

Enclosed for filing is Appellant's motion for request for an extension of time and a filing fee of \$250.00.

I have also enclosed proof of service and an original and six (6) copies of each of the motion.

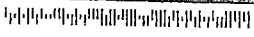
Sincerely,



Thomas J. Thompson
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(864) 984-6554
Attorney for the Appellant

TJT/cav

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