

92062

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
In The Circuit Court

William A. McKinnon, Circuit Court Judge

Appellate Case No. 2019-001872

**RECEIVED**  
FEB 03 2020  
SC Court of Appeals

David J. Mattox,

Appellant,

v.

Lisa Jo Bare Mattox,

Respondent

MOTION FOR EXTENSION OF TIME  
OR TO FILE OUTSIDE TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by his counsel herein, moves this Court for an order granting him an extension of time, or the right to file outside time, as to his Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:

1. The Transcript of Record were requested contemporaneously with the Notice of Appeal filed herein, and were received on December 31<sup>st</sup>, 2018.
2. Responsible counsel for Appellant has been prevented from completion of Appellant's Initial Brief and Designation of Matter by the press of business in his office.
3. To this end, counsel for Appellant requests an extension of time, or a grant to file outside time, for a period of thirty (30) days.

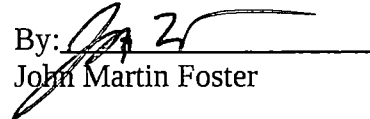
The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court to be allowed for an extension of time, or to file hisr Initial Brief and Designation of Matter to be included in the Record on Appeal outside of time, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

Michael L. Brown, Jr.  
Zachary M. Merritt  
Post Office Box 1025  
Rock Hill, S.C. 29731  
803 328-8822

John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731  
803 324-8100

Attorneys for Appellant

By:   
John Martin Foster

January 30, 2020

Rock Hill, South Carolina

Other Counsel of Record:

John P. Gettys, Jr.  
J. Nathaniel Pierce  
Morton & Gettys  
Post Office Box 707  
Rock Hill, S.C. 29731  
Attorneys for Respondent  
803 366-3388

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
In The Circuit Court

William A. McKinnon, Circuit Court Judge

Case No. 2018-CP-46-03672

**RECEIVED**  
FEB 03 2020  
SC Court of Appeals

David J. Mattox,

Appellant,

v.

Lisa Jo Bare Mattox,

Respondent

PROOF OF SERVICE

I certify that I have served the Motion for Extension or to File Outside Time dated January 30, 2020, on the following counsel or persons of record:

John P. Gettys, Jr.  
J. Nathaniel Pierce  
Morton & Gettys  
Post Office Box 707  
Rock Hill, S.C. 29731  
Attorneys for Respondent

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262, S.C.A.C.R.

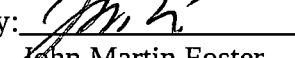
January 30, 2020

Michael L. Brown, Jr.  
Zachary M. Merritt  
Post Office Box 1025  
Rock Hill, S.C. 29731  
803 328-8822

John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731  
803 324-8100  
Attorneys for Appellant

January 30, 2020

Rock Hill, South Carolina

By:   
John Martin Foster

JOHN MARTIN FOSTER

Attorney at law

---

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

---

January 30, 2020

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

Re: David J. Mattox v. Lisa Jo Bare Mattox  
Appellate Case No. 2019-001872

RECEIVED  
FEB 03 2020  
SC Court of Appeals

Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellants' Motion for Extension of Time or to file Outside Time, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$50.00.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely,

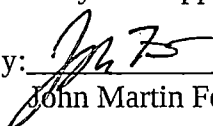
Michael L. Brown, Jr.  
Zachary M. Merritt  
Post Office Box 1025  
Rock Hill, S.C. 29731  
803 328-8822

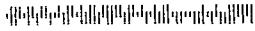
jmf/  
enclosures

cc: John P. Gettys, Jr.  
J. Nathaniel Pierce  
Morton & Gettys  
Post Office Box 707  
Rock Hill, S.C. 29731  
Attorneys for Respondent

John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731  
803 324-8100

Attorneys for Appellant

By:   
John Martin Foster



NEOPOST  
FIRST-CLASS MAIL  
**\$002.00<sup>2</sup>**  
01/30/2020 ZIP 29730  
042L14822695

USPS®

**RECEIVED**  
FEB 08 2021  
SC Court of Appeals

**John Martin Foster Attorney**  
223 East Main St Suite 520  
Post Office Box 106  
Rock Hill SC 29731-6106

---

**TO:**  
THE HONORABLE JENNY ABBOTT KITCHINGS  
CLERK OF THE COURT OF APPEALS  
POST OFFICE BOX 11629  
COLUMBIA, S.C. 29211