

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM YORK COUNTY  
Court of Common Pleas

The Honorable William A. McKinnon, Circuit Court Judge

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Appellate No. 2019-001872

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**RECEIVED**  
FEB 11 2020  
SC Court of Appeals

David J. Mattox, .....Appellant,

v.

Lisa Jo Bare Mattox,.....Respondent.

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**RETURN IN OPPOSITION TO MOTION FOR EXTENSION OF TIME OR TO FILE  
OUTSIDE TIME**

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Respondent Lisa Jo Bare Mattox, through the undersigned counsel, files this Return in Opposition of Appellant's Motion for Extension of Time or to File Outside Time.

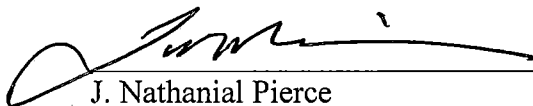
Appellant has, from the inception of this matter in the York County Probate Court in June 2017, failed to expeditiously participate in litigation. The record will show the Appellant waited nearly nine months after the discovery of new evidence to request a new trial, and only did so after Respondent entered into purchase and sale agreements for property rightfully owned by Respondent per an order of the York County Probate Court. When Appellant's motion for new trial was denied by the York County Probate Court, Appellant filed the below appeal to the circuit court, taking over eight months to fully prepare for a hearing. Appellant then filed a motion to

reconsider the Circuit Court's order affirming the Probate Court. Appellant now seeks additional time to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Delay in this matter costs Respondent a great deal, as she remains unable to dispose of property she rightfully owns, while Appellant faces no consequences. Further extension of this matter works only to prejudice the Respondent.

For the reasons set forth herein, Respondent hereby objects to Appellant's Motion for Extension of Time or to File Outside Time and asks the court to deny the relief requested therein.

February 10, 2020



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J. Nathaniel Pierce  
MORTON & GETTYS, LLC  
P.O. Box 707  
Rock Hill, SC 29731

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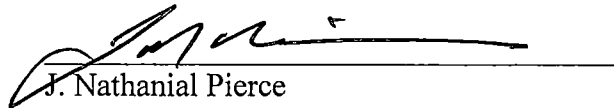
v.

Lisa Jo Bare Mattox, .....Respondent.

**RETURN IN OPPOSITION TO MOTION FOR EXTENSION OF TIME OR TO FILE  
OUTSIDE TIME**

The undersigned certifies that he has served this Return in Opposition of Appellant's Motion for Extension of Time or to File Outside Time by depositing a copy of it in the United States Mail, postage prepaid, on February 10, 2020, addressed to John Martin Foster, Esquire at P.O. Box 106, Rock Hill, SC 29731 and Michael L. Brown, Jr., Esquire and Zachary M. Merritt, Esquire, at P.O. Box 1025, Rock Hill, SC 29731.

February 10, 2020



J. Nathaniel Pierce  
MORTON & GETTYS, LLC  
P.O. Box 707  
Rock Hill, SC 29731  
Attorney for Appellant

MORTON & GETTYS  
ATTORNEYS AT LAW

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ELIZABETH SMITH OWEN

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MELISSA G. CASSELL ♦

DANIEL J. BALLOU •

JOSEPH L. RAAD §

J. NATHANIAL PIERCE §

LYNELLE D. MORGAN ■

DAVIS C. RIDDLE

LANCE F. JOHNSON ▲

BEVERLY A. CARROLL §\*‡

JOE TERRIOUS K. NEAL

Certified Civil Court Mediator \*

Certified Circuit Court Arbitrator & †

Certified Family Court Mediator

Certified Specialist in Estate Planning  
and Probate Law §

Certified Specialist in Employment Law ‡

Licensed in SC & NC §

Licensed in SC & TX •

Licensed in SC & MI ■

Licensed in GA & IL ▲

Licensed in SC, NC, GA ♦

February 10, 2019

Via Fedex

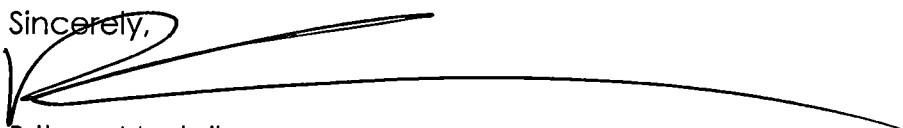
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RE: David J. Mattox, Appellant v. Lisa Jo Bare Mattox,  
Respondent**

Dear Sir or Madam:

Enclosed please find the original return in opposition to motion for extension of time or to file outside time. Please do not hesitate to contact our office with any questions. Nate Pierce can be reached directly at 803-366-3414. With kind regards, I am

Sincerely,

  
Britney Mosteller  
Legal Secretary for J. Nathaniel Pierce

BMM/

enclosures

cc: John Martin Foster, Esquire  
Michael L. Brown, Jr., Esquire  
Zachary M. Merritt, Esquire

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SC Court of Appeals

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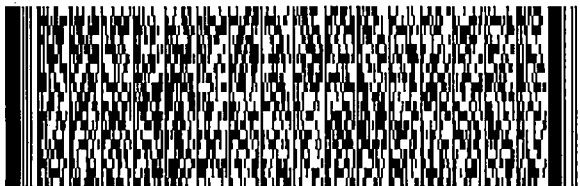
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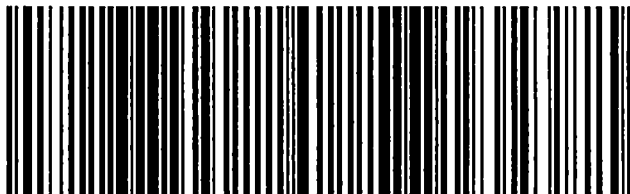
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**TUE - 11 FEB 10:30A  
PRIORITY OVERNIGHT**

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**SC Court of Appeals**