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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ALLENDALE COUNTY
Circuit Court

Lawton McIntosh, Circuit Court Judge

Case No. 2019-000905

RECEIVED
MAR 10 2020
SC Court of Appeals

J. Morgan Kearse, Personal Representative of the Estate of G.H. KearseAppellant,

v.

The Kearse Family Education Trust, William Gordon Kearse,
Elizabeth Kearse Gooding, Julia Kearse Sharp, Rachael Kearse
Best, Joseph Weber Kearse, and John Morgan Kearse, of which
all are named individually and as Trustees of the Kearse Family
Education Trust U/A/D Nov. 05, 1992..... Respondents.

APPELLANT’S MOTION TO EXCEED PAGE LIMIT FOR REPLY
OR, ALTERNATELY, FOR AN EXTENSION TO AMEND THE SAME

Appellant hereby moves the Court for permission to exceed the default 25 page limit for his consolidated Reply to both Respondent Elizabeth Kearse Gooding (“Ms. Gooding”) and Respondent Julia Kearse Sharp (“Ms. Sharp”), which he files simultaneously to this Motion. Together Respondents’ initial briefs total 78 pages and contain twelve overlapping Statements of Issues on Appeal for Appellant to address. Appellant believes a consolidated Reply to Respondents’ twelve overlapping arguments is most efficient for not only himself, but also for the Court of Appeals and Respondents, and Appellant has therefore prepared and submitted his

Reply accordingly. Prepared as such, Appellant's Reply totals 31 pages, or just 6 pages over the default limit, though 19 pages less than the total allowed if Appellant had filed separate replies.

Alternately, if and only if he is not allowed to exceed the default page limit for his Reply, Appellant hereby requests an extension so that he can revise his Reply brief in order to accommodate the 25 page limit. Appellant has received just one prior extension of his Reply to Elizabeth Kearse Gooding so that he could address both Respondents simultaneously. In contrast, Julia Kearse Sharp received three extensions of her initial brief, for a total of 119 days of extensions. In addition, Appellant received Ms. Sharp's brief just one week ago, on March 9, 2020, as no courtesy copy was provided by email. Therefore, Appellant's undersigned counsel subsequently billed 60 hours in the following week to provide his Reply while keeping up with other pending matters, despite also missing a half day while a child was in the hospital and otherwise attempting to monitor and prepare for the COVID 19 pandemic/shutdown and provide assistance to a working spouse who was herself behind from the hospital visit and missing the prior Friday due to a family member's funeral.

In sum, Appellant's counsel simply asks for a modicum of deference in attempting to provide his consolidated Reply in what he believed to be the best format for all concerned.

Respectfully submitted,



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Columbia, South Carolina
March 16, 2020

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ALLENDALE COUNTY
Circuit Court

Lawton McIntosh, Circuit Court Judge

Case No. 2019-000905

RECEIVED
MAR 16 2020
SC Court of Appeals

J. Morgan Kears, Personal Representative of the Estate of G.H. KearsAppellant,

v.

The Kears Family Education Trust, William Gordon Kears,
Elizabeth Kears Gooding, Julia Kears Sharp, Rachael Kears
Best, Joseph Weber Kears, and John Morgan Kears, of which
all are named individually and as Trustees of the Kears Family
Education Trust U/A/D Nov. 05, 1992..... Respondents.

PROOF OF SERVICE

I certify that I have served Appellant's Motion to Exceed Page Limit for Reply or, Alternately, for Extension to Amend the Same by depositing a copy of same into the United States Mail, First-class postage prepaid, on February 7, 2020, addressed to the respondents or their attorneys of record as follows:

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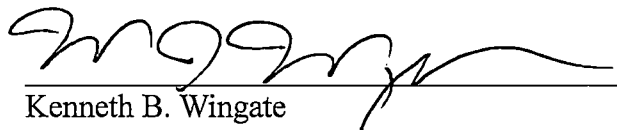
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Pro se

John Morgan Kears
Post Office Box 521
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Pro se in individual capacity

I certify that the Kears Family Education Trust is heretofore unrepresented in this matter and otherwise has no known address, and I have therefore delivered an additional copy of the Appellant's Motion to Exceed Page Limit for Reply or, Alternately, for Extension to Amend the Same with the Clerk of Court for the South Carolina Court of Appeals on February 7, 2020, pursuant to Rule 262, SCACR(b).



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