

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
In The Circuit Court

Teasa K. Weaver, Master in Equity Court Judge

**RECEIVED**

APR 16 2020

**SC Court of Appeals**

Appellate Case No. 2019-001968

Edgar Bruce Massey,

Respondent,

v.

James Anthony Fanning,  
Danny Joseph Baker,  
Michael Kaminski d/b/a Michael Kaminsky,  
and Republic Finance, LLC,

of whom James Anthony Fanning is the

Appellant

MOTION FOR EXTENSION

Pursuant to Rules 263(b) and 240, S.C.A.C.R., the Respondent, by his counsel undersigned, moves this Court for an order granting an extension of time in the above appeal, on the grounds stated below:

1. The Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal are due, by Order of this Court granting an extension, as of April 17<sup>th</sup>, 2020.
2. Shortly after receipt of this Court's Order granting this extension, on March 31<sup>st</sup>, 2020, counsel for the Respondent fell and broke his hip. On April 3<sup>rd</sup>, 2020, he went into surgery and is now in White Oak Manor, Rock Hill, S.C. in rehabilitation. He has not been assured that he will be dismissed in time to supply the required Brief of Respondent and Designation

of Matter within the time allowed by the recent Order of this Court.

3. Counsel for Respondent is prevented from response by reason of the said medical emergency and the press of business in his office.
4. This Motion and Certificate of Service are prepared by Counsel for Respondent but signed, on his behalf, by his secretary, due to his absence from his office.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Respondent herein moves this Court move this Court for an order granting an extension of time in the above appeal, for a period of twenty (20) days, on the grounds stated herein.

April 14, 2020



---

John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
(803) 324-8100  
Attorneys for Respondent

Other Counsel of Record:

James W. Boyd  
1544 Ebenezer Road  
Rock Hill, S.C. 29732  
Attorney for Respondent  
803 328-2600

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
In The Circuit Court

Teasa K. Weaver, Master in Equity Court Judge

Appellate Case No. 2019-001968

Edgar Bruce Massey,

Respondent,

v.

James Anthony Fanning,  
Danny Joseph Baker,  
Michael Kaminski d/b/a Michael Kaminsky,  
and Republic Finance, LLC,

of whom James Anthony Fanning is the

Appellant

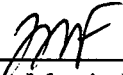
CERTIFICATE OF SERVICE

I certify that I have served the Respondent's Motion for an extension of time to file his Initial Brief and Designation of Matter to be Included in the Record on Appeal, dated April 14, 2020, on the following counsel or persons of record:

James W. Boyd  
1544 Ebenezer Road  
Rock Hill, S.C. 29732  
Attorney for Appellant

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(b), S.C.A.C.R.

April 14, 2020

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellants

**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

April 14, 2020

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

**RECEIVED**

APR 16 2020

SC Court of Appeals

Re:    Edgar Bruce Massey. Respondent  
      v. James Anthony Fanning et al.  
      of whom James Anthony Fanning is the Appellant  
      Appellate Case 2019-001968

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, together with Certificate of Service for the same in the above referenced case. In accord with the Chief Justice's recent Order, I do not enclose a check for the Motion fee; if one is necessary, please inform.

By copy of this letter, I am serving the attorney for the Appellant 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,

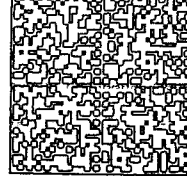


John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Respondent

jmf/  
enclosures

cc:    Clients

James W. Boyd  
1544 Ebenezer Road  
Rock Hill, S.C. 29732  
Attorney for Appellant  
803 328-2600



NEOPOST  
FIRST-CLASS MAIL  
\$001.80<sup>0</sup>  
04/14/2020 ZIP 29730  
042L14822695

US POSTAGE

**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 S.C. Court of Appeals  
1015 Sumter Street  
P.O. Box 11629  
Columbia, S.C. 29211

RECEIVED  
APR 14 2020  
SC Court of Appeals