

**RECEIVED**  
**Apr 24 2020**  
**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
COURT OF COMMON PLEAS

Alex Kinlaw, Jr. Circuit Court Judge

Case No: 2018-CP-23-02782  
Appellate Case No: 2019-001644

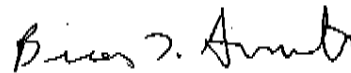
Bristol West Preferred Insurance Company.....Respondent  
v.  
Lemore Young, James E. Young, Darius Jerard Allen and Latusa Nicole Reid.....Defendants  
Of Whom Lemore Young is the Appellant

MOTION TO STAY TIME TO FILE APPELLANT’S INITIAL BRIEF AND DESIGNATION  
OF MATTER

Lemore Young, the Appellant, by and through his undersigned counsel, hereby moves for a stay until a personal representative is appointed or in the alternative a thirty (30) Day extension of time file his initial brief and designation of matter. Currently the Appellant’s initial brief and designations are due on April 26, 2020. Due the death of the Appellant, Lemore Young. Ms. Young is in the process of being appointed as the Personal Representative of the Estate, however, due to the closure of the Probate Court and having to wait on a toxicology report prior to the Death Certificate being issued, she has been unable to complete the process.

Therefore, for the foregoing reasons, and pursuant to Rule 263, SCACR, the undersigned counsel moves for an extension of time. Undersigned counsel would further certify that he has attempted to consult with Kyle Thompson, counsel for the Respondent, and was unable to gain his consent to the Appellant's request for an extension of time to file the initial brief and designation of matter.

Respectfully Submitted,



Brian T. Smith (S.C. Bar No. 70232)  
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Greenville, SC 29601  
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Greenville, South Carolina

April 21, 2020

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COURT OF COMMON PLEAS

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Bristol West Preferred Insurance Company.....Respondent

v.


Lemore Young, James E. Young, Darius Jerard Allen and Latusa Nicole Reid.....Defendants

Of Whom Lemore Young is the Appellant

Proof of Mailing

I certify that I have mailed the Motion to Stay Appellant's Initial Brief and Designation of Matter via U.S. Mail on April 21, 2020 to the following address:

Attn: Kyle Thompson  
For Andrew F. Carson  
Wilson Jones Carter & Baxley, PA  
872 South Pleasantburg Drive  
Greenville, South Carolina 29607

  
\_\_\_\_\_  
Brian Smith

April 21, 2020



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Facsimile: 864-239-2039

April 21, 2020  
Via FAX: 803-734-1839

The Honorable Jenny Abbott Kitchings  
S.C. Court of Appeals Clerk of Court  
Post Office Box 1629  
Columbia, SC 29211-1629

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Re: Bristol West Co. v. Lemore Young  
Appellate Case No: 2019-001644

To Whom it May Concern:

Please find attached a Motion to Stay the deadline for the Appellant to file his initial brief. We were recently notified by Mr. Young's wife that he is deceased. There has not been a Personal Representative appointed at this time due to the Probate Court's closure. Ms. Young is waiting on a Death Certificate to be issued so that she open the Estate.

For the above stated reasons, we would appreciate your consideration in this matter.

Sincerely,

Brian T. Smith

Cc: Attn: Kyle Thompson, Esq.  
For Andrew F. Carson, Esq.  
Wilson Jones Carter & Baxley, P.A.  
872 South Pleasantburg Drive  
Greenville, South Carolina 29607