

State of South Carolina
In the Court of Appeals

67404e

APPEAL FROM JASPER COUNTY
COURT OF COMMON PLEAS

DARRELL THOMAS JOHNSON, JR., SPECIAL REFEREE

2008-CP-27-00151

C.E. LOWTHER, JR., CLAYTON CLARK LOWTHER,
MITCHELL S. LOWTHER and EFFIE SANDRA TURPIN

Respondents

v.

E. LEGRAND LOWTHER,

Appellant.

NOTICE OF MOTION AND MOTION FOR
EXTENSION OF TIME TO FILE APPELLANT'S INITIAL BRIEF
AND DESIGNATION OF MATTER TO BE INCLUDED
IN RECORD ON APPEAL

The Appellant would respectfully request an extension of time within which to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal. The Appellant is in need of a thirty (30) day extension of time in which to file the Initial Brief and Designation of Matter.

This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondents.

It is accordingly respectfully requested that the Appellant be granted a thirty (30) day extension of time to file the Initial Brief and Designation of Matter to be Included in the Record

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FEB 27 2013

SC Court of Appeals

on Appeal.

Respectfully submitted,

MOSS, KUHN & FLEMING, P.A.

By: H. Fred Kuhn

H. Fred Kuhn, Jr.
1501 North Street
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Beaufort, South Carolina 29901
(843)524-3373 - telephone
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ATTORNEYS FOR APPELLANT

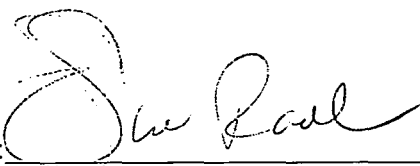
February 25, 2013

CERTIFICATE OF SERVICE

Undersigned certifies that the **Notice of Motion and Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in Record on Appeal**, to which this certificate is affixed, was served upon the party (s) to this action by hand delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

R. Thayer Rivers, Jr., Esquire
Attorney at Law
Post Office Box 668
Ridgeland, South Carolina 29936

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on February 25, 2013.

By: 

Sue Radford
Secretary for H. Fred Kuhn, Jr.

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SC Court of Appeals

LAW OFFICES

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February 25, 2013

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

Re: C.E. Lowther, Jr., Clayton Clark Lowther, Mitchell S. Lowther and Effie Sandra Turpin
v. E. Legrand Lowther
Case No.: 2008-CP-27-151
Appellate Case No.: 2012-211008

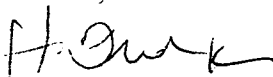
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Notice of Motion and Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in Record on Appeal and Certificate of Service regarding the above-referenced matter. I would appreciate it if you would return one (1) filed copy to me in the enclosed self-addressed stamped envelope. By copy of this letter and the enclosures, I am serving a copy of the same on R. Thayer Rivers, Jr., Esquire.

With kindest regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.



H. Fred Kuhn, Jr.

HFK:sr

Enclosures

cc: R. Thayer Rivers, Jr., Esquire

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FEB 27 2013

SC Court of Appeals