

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Robin B. Stilwell, Circuit Court Judge

Lower Court Case No. 2019-CP-23-0049

Appellate Case No. 2020-00023

**RECEIVED**  
**May 05 2020**  
**SC Court of Appeals**

James Bennet Schwiers .....Respondent,

v.

Gene Baxley Schwiers ..... Appellant.

**MOTION FOR 30-DAY EXTENSION TO FILE INITIAL BRIEF**

Pursuant to Rules 208, 240, and 263, SCACR, Gene Baxley Schwiers (“Ms. Schwiers”) respectfully requests a thirty (30) day extension of time to file her initial brief and designation of the record on appeal. On March 18, 2020, Ms. Schwiers received a copy of the transcript. On March 20, 2020, the Supreme Court issued an *Order re: Operation of the Appellate Courts During the Coronavirus Emergency*. In section (1) at subsection (1), the Court provided that all future deadlines would be extended for twenty (20) days. As a result, the deadline for Ms. Schwiers to file her initial brief is May 7, 2020. Ms. Schwiers seeks the subject extension to accommodate the schedule of her counsel. This is the first extension requested by Ms. Schwiers. Accordingly, Ms. Schwiers requests that the Court extend the deadline to file her initial brief to June 6, 2020.

*[SIGNATURE PAGE FOLLOWS]*

Respectfully submitted,

May 5, 2020

**BURL F. WILLIAMS, P.A.**

s/ Burl F. Williams

Burl F. Williams (S.C. Bar No. 77901)

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Greenville, SC 29601

864-546-5035

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*Attorney for Appellant*

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CERTIFICATE OF SERVICE

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I certify that on May 5, 2020, I served the Motion for Extension of Time by sending a copy of the same to the email address for Respondent James B. Schwiers's counsel of record as identified in the Attorney Information System pursuant to Supreme Court *Order Re: Operation of the Appellate Courts During the Coronavirus Emergency* (g)(3). Specifically, I certify that a copy was sent to: [jcassidy@roecassidy.com](mailto:jcassidy@roecassidy.com) and [ebarbery@roecassidy.com](mailto:ebarbery@roecassidy.com). A copy of the sent email is attached as *Exhibit 1* to this certificate of service.

**BURL F. WILLIAMS, P.A.**

s/ Burl F. Williams

Burl F. Williams (S.C. Bar No. 77901)

201 Riverplace, Suite 500

Greenville, South Carolina 29601

864-546-5035

[burl@burlfwilliams.com](mailto:burl@burlfwilliams.com)

*Attorney for Appellant*

**EXHIBIT 1**

Service of Motion for Extension of Time to File Initial Brief:  
[jcassidy@roecassidy.com](mailto:jcassidy@roecassidy.com) and [ebarbery@roecassidy.com](mailto:ebarbery@roecassidy.com)

**RECEIVED**

**May 05 2020**

**SC Court of Appeals**

**From:** [Burl Williams](#)  
**To:** [Jim Cassidy](#); [Ella Barbery](#)  
**Subject:** Schwiers v. Schwiers, Motion for Extension to File Initial Brief  
**Date:** Tuesday, May 5, 2020 2:16:00 PM  
**Attachments:** [5.5.20 Letter re Motion for Extension.pdf](#)  
[image001.png](#)  
[Motion for 30 Day Extension.pdf](#)  
[Motion Extension Fee.pdf](#)

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Dear Jim and Ella:

Attached please find correspondence regarding Ms. Schwiers' motion for extension to file her initial brief in the Schwiers appeal, and a copy of the motion.

Burl F. Williams  
201 Riverplace, Suite 500  
Greenville, South Carolina 29601  
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(O) 864.546.5035 (M) 803.422.1773  
**BURL F. WILLIAMS, P.A.**

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**BURL F. WILLIAMS, P.A.**

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May 5, 2020

**SENT VIA ALTERNATE METHOD FOR APPELLATE COURT FILINGS & UNITED STATES MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: *James B. Schwiers v. Gene B. Schwiers, Appellate Case No. 2020-000023*

Dear Ms. Kitchings:

Enclosed please find Appellant Gene B. Schwiers' Motion for 30-Day Extension to file her initial brief and designation of record on appeal, and a \$50 check representing the motion fee. Pursuant to the alternative method for appellate court filings I have uploaded the Motion and the Certificate of Service today, along with a copy of the filing fee check. This letter, along with the filing fee, will be placed in the U.S. Mail today.

Please contact my office with any questions.

Sincerely,

s/Burl F. Williams

CC: James H. Cassidy, Esq. (E-mail: [jcassidy@roecassidy.com](mailto:jcassidy@roecassidy.com))  
Ella S. Barberry, Esq. (E-mail: [ebarberry@roecassidy.com](mailto:ebarberry@roecassidy.com))

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**May 05 2020**

**SC Court of Appeals**