

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable William A. McKinnon, Circuit Court Judge

Appellate No. 2019-001872

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MAY 12 2020
SC Court of Appeals

David J. Mattox,Appellant,

v.

Lisa Jo Bare Mattox,.....Respondent.

**RETURN IN OPPOSITION TO MOTION FOR EXTENSION OF TIME OR TO FILE
OUTSIDE TIME**

Respondent Lisa Jo Bare Mattox, through the undersigned counsel, files this Return in Opposition of Appellant's Motion for Extension of Time or to File Outside Time.

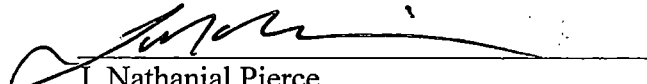
Appellant has, from the inception of this matter in the York County Probate Court in June 2017, failed to expeditiously participate in litigation. The record will show the Appellant waited nearly nine months after the discovery of new evidence to request a new trial, and only did so after Respondent entered into purchase and sale agreements for property rightfully owned by Respondent per an order of the York County Probate Court. When Appellant's motion for new trial was denied by the York County Probate Court, Appellant filed the below appeal to the circuit court, taking over eight months to fully prepare for a hearing. Appellant then filed a motion to

reconsider the Circuit Court's order affirming the Probate Court. Appellant then sought additional time to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Delay in this matter costs Respondent a great deal, as she remains unable to access escrow funds from the sale of property awarded to her by order of the York County Probate Court, while Appellant faces no consequences. Further extension of this matter works only to prejudice the Respondent.

For the reasons set forth herein, Respondent hereby objects to Appellant's Motion for Extension of Time or to File Outside Time and asks the court to deny the relief requested therein.

May 11, 2020



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May 11, 2020

Via Fedex

South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

**RE: David J. Mattox, Appellant v. Lisa Jo Bare Mattox,
Respondent**

Dear Sir or Madam:

Enclosed please find the original return in opposition to motion for extension of time or to file outside of time. Please do not hesitate to contact our office with any questions. Nate Pierce can be reached directly at 803-366-3414. With kind regards, I am

Sincerely,

Britney Mosteller

Legal Secretary for J. Nathaniel Pierce

BMM/

enclosures

cc: John Martin Foster, Esquire
Michael L. Brown, Jr., Esquire
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(803) 366-3388

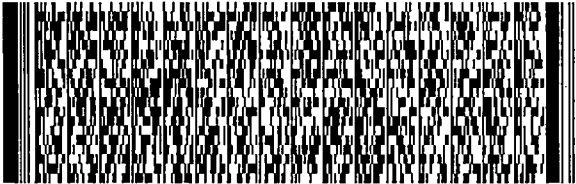
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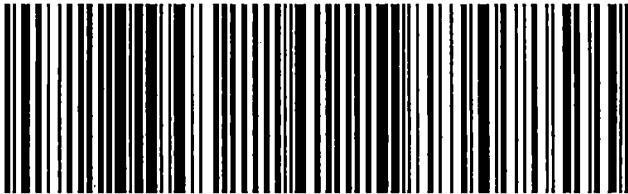
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