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Aug 14 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM PICKENS COUNTY
Court of General Sessions
Charles B. Simmons, Master in Equity

Appellate Court Case No.: 2020-000396

Terrance "Terry" Carrol,..... Appellant,

v.

Debra Mowery, TD Realty, Upstate RE Group,
Hawk Shadow Business Services, LLC, and Debra Mower Realtor, Respondents.

MOTION

Appellant hereby moves the Court for an extension of ten days in which to serve and file the Appellant’s Initial Brief and Designation of Matter. Counsel was out-of-state attending to personal matters from July 26th through August 10th. The brief in this case was scheduled to be completed by the 14th of August however, while Counsel was out-of-state a decision was rendered in 2019-000188 and a substantial portion of time ran on the deadline in 2019-000188 before Counsel returned. The petition for rehearing in 2019-000188 is due on 081720 and involves a termination of parental rights which is to be prioritized for briefing and scheduling. As the petition for rehearing in 2019-000188 involves a jurisdictional component necessary for further appeal in that case Counsel has had to stop briefing in this case (2020-000396) to complete the petition in 2019-000188 by August 17th.

Counsel submits that the issuance of the opinion in 2019-000188 could not be predicted with sufficient certainty to avoid the conflict of deadlines and obligations. That the conflicting demands constitute an extra-ordinary circumstance necessitating the request for an extension of ten days. Therefore, in order to avoid sacrificing one client's best interests for another, Counsel moves this Court for an extension of ten days in which to file and serve Appellant's Initial Brief and Designation of Matter in this case.

I certify that the request is necessary and not intended to cause undue delay.

Respectfully submitted,

s/J. Falkner Wilkes

J. Falkner Wilkes (SC Bar #12893)
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Counsel for Appellant

August 14, 2020.

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Terrance "Terry" Carroll, Appellant,

v.

Debra Mowery, TD Realty, Upstate RE Group,
Hawk Shadow Business Services, LLC, and Debra Mower Realtor, Respondents.

CERTIFICATE OF SERVICE

I certify that on August 14, 2020, I served the Appellant's Motion for an extension of time (ten days) in which to serve and file the Appellant's Initial Brief and Designation of Matter on the Respondent by sending a copy of same via email to the AIS email address of counsel of record, and others if indicated, as shown below:

Luke Anthony Burke
Bruce Wyche Bannister
BANNISTER, WYATT & STALVEY, LLC
PO Box 10007
Greenville, SC 29603
via AIS email only to:
bbannister@bannisterwyatt.com
astalvey@bannisterwyatt.com

Attorneys for Respondents

and to:

Jenny Abbott Kitchings
Clerk of the Court of Appeals
P.O. Box 11629
Columbia, SC 29211

also via email only to: ctappfilings@sccourts.org

Respectfully submitted,

s/J. Falkner Wilkes

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August 14, 2020.