

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Oct 05 2020

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Perry H. Gravely, Circuit Court Judge

Appellant Case No. 2020-00904

Mary Earle,.....Respondent,

v.

Boulder LP,..... Appellant,

RESPONDENT’S MOTION FOR A SECOND EXTENSION OF TIME
OR FOR APPEAL TO BE HELD IN ABEYANCE

Mary Earle, the Respondent, by and through her undersigned counsel, herby moves for an additional extension time to serve and file her Initial Brief of Respondent and Designation of Matter or in the alternative asks the court to hold the Appeal in abeyance pending the receipt of transcripts.

Both Appellant’s counsel and Respondent’s counsel appear to have need to reference Magistrate’s hearings that were held on January 21, 2020 and February 13, 2020. Respondent’s counsel has not been provided copies of these transcripts and needs them to prepare the Respondent’s brief. Appellant’s Counsel makes several references to both hearings in their brief but neither of the transcripts are included in their Designation of Matter. A proper response will require a review of these transcripts prior to the completion of the Respondent’s brief.

Respondent’s counsel has obtained copies of both of the Magistrate’s hearing tapes which

will need to be transcribed to be properly referenced and included in the Appellant's Record on Appeal. Respondent's counsel has arranged for the transcription of the tapes. Once the transcriptions are completed, Respondent's counsel will promptly notify the Court.

Therefore, for the foregoing reasons, and pursuant to Rule 263, SCACR, the undersigned counsel moves for a second extension of time or in the alternative moves that the Appeal be held in abeyance until the receipt of the transcripts and the court deems proper time for preparation of the Respondent's brief.

Respectfully Submitted,

s/Vanessa Cason

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Attorney for Respondent

Greenville, South Carolina

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PROOF OF SERVICE

I certify that on this October 5, 2020, I have served the Respondent’s Motion for A
Second Extension of Time on the Appellant’s counsels of record via electronic service to the
email address listed below:

Emily I Bridges: ebridges@foxrothschild.com

M. Kevin McCarrell: kmccarrell@foxrothschild.com

Greenville, South Carolina

October 5, 2020

s/ Vanessa Cason

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