

**In The South Carolina Court of Appeals
On Appeal Form the South Carolina Workers' Compensation Commission
Appellate Case No: 2019-001936**

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Nov 02 2020

SC Court of Appeals

Jennie Cox, Employee

Appellant,

v.

Appellate Case No: 2019-001936

**Palmetto State Transportation, Employer
And Cherokee Insurance Company,
Respondents**

MOTION TO EXTEND PRIOR ORDER HOLDING APPEAL IN ABEYANCE OR, IN THE ALTERNATIVE, FOR EXTENSION OF TIME TO FILE APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER.

1. This appeal was held in abeyance pursuant to prior Order of the Court dated July 29, 2020 in order to allow the parties time to engage in settlement negotiations. The time period during which the appeal was held in abeyance has now expired.
2. Appellant now seeks an Order extending the time period holding this matter in abeyance until November 12, 2020. Although the parties attempted to engage in settlement negotiations during the initial time period the appeal was being held in abeyance, there was a significant delay in Appellant's receipt of certain documentation upon which aspects of the negotiations hinge. Accordingly, the parties were not able to complete negotiations within the original time period during which the matter was held in abeyance.
3. Nonetheless, Counsel for Appellant fully intended to finalize Appellant's Initial Brief and Designation of matter for submission on today in accordance with the Court's most recent correspondence to the parties and to continue efforts to negotiate settlement of the matter even as the appeal progressed. However, Counsel is currently in Greenville, South Carolina in an area where wind damage from hurricane Zeta caused an outage of both electricity and internet access for several days, thwarting Counsel's plans to finalize the initial brief for submission.
4. Appellant would therefore request that the original period holding the appeal in abeyance be extended to November 12, 2020 (to include the time which elapsed between the expiration of the initial period and this request).
5. Alternatively, should the Court determine that an extension of the period of abeyance is not appropriate at this juncture, Appellant would seek an extension of time for 10 days after the date of this request, until November 12, 2020, for filing the Appellant's Initial Brief and Designation of Matter.
6. Counsel for Appellant further requests that the applicable deadlines for perfecting the appeal be held in abeyance pending the Court's ruling on this motion.

7. This motion is not being made for purposes of delay; rather, the unavoidable delay in receiving certain necessary documentation from medical professionals, the effects of the recent State and national Health Alerts, as well as Counsel's limited access to resources necessary to conduct research and counsel's heavy workload as a solo practitioner has necessitated this request.

Accordingly, Appellant requests an extension of time period holding the appeal of this matter in abeyance, or, alternatively, an extension of time to file Appellant's Initial Brief and Designation of matter, until November 12, 2020.

/s/ Adrienne L. Turner

Adrienne L. Turner
Bar # 6840
Counsel for Appellant

Greenville, SC
November 2, 2020

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Motion to Hold Appeal in Abeyance or, alternatively, to Extend Time for Filing Appellant's Initial Brief was sent by electronic mail and/or United States Mail, postage prepaid, on November 2, 2020 to:

George Gallagher, Esquire
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PO Box 11669
Columbia, SC 29211

And

Stephen Stubley, Esquire
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/s/ Adrienne L. Turner

Adrienne L. Turner