

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
In The Circuit Court

Teasa K. Weaver, Master in Equity

Appellate Case No. 2020-001023

RECEIVED

Nov 25 2020

SC Court of Appeals

Mark Giles Pafford,

Appellant,

v.

Robert Wayne Duncan, Jr.,
Robert Duncan, Sr., and Frank Eason,
d/b/a "Rock City Heavy Hauling, Inc."
of whom

Robert Wayne Duncan, Jr. and
Robert Duncan, Sr. are the,

Respondents.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 263(b) and 240, S.C.A.C.R., the Appellant, by his counsel undersigned, moves this Court for an order granting an extension of time or the right to file outside time in the above appeal, on the grounds stated below:


1. The Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal were due, according to the records of Appellant's counsel and after a Motion for Extension, as of November 9th, 2020.
2. Counsel for Appellant was diagnosed as positive for Covid-19 as of October 31st, 2020 and put into quarantine. A copy of the test is attached hereto and incorporated herein. That quarantine lasted over two weeks.

3. By this Court's letter of November 19th, 2020 counsel for Appellant was reminded of the due date and instructed to submit the Brief and Designation of Matter, with a Motion for Extension, within ten days.
4. Counsel for Appellant has worked diligently to fulfill that deadline. However, because this commercial appeal involved extensive documentation placed in evidence, he is required to review those records to accurately finish and submit Appellant's Brief and Designation of Matter.
5. Counsel for Appellant has made several attempts to locate and review the trial evidence, but to date has received no response from Court personnel as to the location or availability of that evidence. He presumes this lack of communication is due to the holiday schedule.
6. Due to the facts referenced above, the Appellant moves for an extension of time in which to file, or to file late, until December 9th, 2020.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court move this Court for an order granting an extension of time or the right to file outside time in the above appeal, for a period ending December 9th, 2020.

November 25, 2020



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
(803) 324-8100
Attorney for Appellant

Other Counsel of Record:

Stephen D. Schusterman
P.O. Box 4211
Attorney for Respondents
Rock Hill, South Carolina 29731

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CERTIFICATE OF SERVICE

I certify that I have served the Appellant's Motion for an extension of time, or to file late, as to his Initial Brief and Designation of Matter to be Included in the Record on Appeal on the following counsel or persons of record:

Stephen D. Schusterman
P.O. Box 4211
Attorney for Respondents
Rock Hill, South Carolina 29731

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262(b), S.C.A.C.R.

November 25, 2020



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Appellant