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Apr 05 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2020-001348
Civil Action No. 2020-CP-36-00093

Jefferson Davis, Jr. Appellant,

v.

Chad Connelly, Tom Persons, South Carolina Educational Credit for
Exceptional Needs Children Fund Respondents.

**MOTION FOR SECOND EXTENSION OF TIME TO SERVE AND FILE
INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL
ON BEHALF OF RESPONDENTS CHAD CONNELLY, TOM PERSONS, AND
SOUTH CAROLINA EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN FUND**

Pursuant to Rules 208, 209, 240, and 263(b), SCACR, and South Carolina Supreme Court Order 2020-05-29-02 RE: Operation of the Appellate Courts During the Coronavirus Emergency, Respondents Chad Connelly, Tom Persons, and South Carolina Educational Credit for Exceptional Needs Children Fund hereby move for an order granting a second thirty (30) day extension of time for the filing of the Initial Brief and Designation of Matter to be Included in the Record on Appeal in this matter. The granting of this request would mean that these documents would be required to be served and filed on or before May 7, 2021.

s/Justin P. Novak _____

M. Dawes Cooke, Jr., Esquire
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– and –

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***Attorneys for Respondents Chad Connelly, Tom
Persons, and South Carolina Educational Credit
for Exceptional Needs Children Fund***

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Jefferson Davis, Jr. Appellant,

v.

Chad Connelly, Tom Persons, South Carolina Educational Credit for
Exceptional Needs Children Fund Respondents.

PROOF OF SERVICE

I, the undersigned employee of Barnwell Whaley Patterson & Helms, LLC, herby certify that pursuant to Rules 208, 209, 240, and 263(b), SCACR, I have served the Motion for Extension of Time to Serve and File the *Initial Brief and Designation of Matter to be Included in Record on Appeal on Behalf of Respondents Chad Connelly, Tom Persons and South Carolina Educational Credit for Exceptional Needs Children Fund* in this matter upon the Clerk of the South Carolina Court of Appeals, all counsel of record, and all pro se parties by electronic mail or mailing a copy by United States Mail, postage prepaid, on April 5, 2021, to the following addresses:

The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

Jefferson Davis, Jr.
403 McCarter Avenue
Greenville, South Carolina 29615
Email: jeff@apogeetax.com

s/ Beverly Mitton
Beverly Mitton

April 5, 2021

EST. 1938

BARNWELL WHALEY

ATTORNEYS AT LAW

JUSTIN P. NOVAK

SPECIAL COUNSEL

JNOVAK@BARNWELL-WHALEY.COM

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SC Court of Appeals

April 5, 2021

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211
Email: ctappfilings@sccourts.org

RE: Jefferson Davis, Jr., Appellant, v. Chad Connelly, Tom Persons & South Carolina Educational Credit for Exceptional Needs Children Fund, Respondents.
Appellate Case No. 2020-001348
Our Matter No. 2026.116

Dear Ms. Kitchings:

M. Dawes Cooke, Jr., Geoffrey K. Chambers, and I represent Respondents Chad Connelly, Tom Persons, and the South Carolina Educational Credit for Exceptional Needs Children Fund in the above-referenced matter. As you may know, Appellant served and filed Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on February 5, 2021. On February 26, 2021, the Court of Appeals granted Respondents an extension of time until April 7, 2021, to serve and file Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respondents Chad Connelly, Tom Persons, and the South Carolina Educational Credit for Exceptional Needs Children Fund respectfully request a second thirty (30) day extension of time to serve and file these documents pursuant to South Carolina Supreme Court Order 2020-05-29-02 and Rule 263(b), SCACR. The granting of this request would mean that these documents would be required to be served and filed on or before May 7, 2021.

This is these parties' second request for an extension of time. By copy of this letter, I am serving a copy of this correspondence upon Appellant.

BARNWELL WHALEY PATTERSON & HELMS LLC

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Sincerely,

s/ Justin P. Novak
Justin P. Novak

JPN/bbm
Enclosures

cc: Jefferson Davis, Jr., pro se (via U.S. Mail and E-mail)