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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Bentley Price, Circuit Court Judge

Gregory
Muxlow.....Appellant,

v.

Ruby Tuesday, KC Mulligan's, St. Ives' and Carroll Management
Group.....Respondents.

Appellate Case No. 2020-000129

**MOTION FOR FILING DEADLINE OF THE AMENDED RECORD ON APPEAL AND
SUPPLEMENTAL DESIGNATION OF MATTER TO BE HELD IN ABEYANCE**

The appellant respectfully requests that the Appellate Court grant the appellant's time for filing Amended Record on Appeal and Supplemental Designation of Matter be held in abeyance for 90 days pending the receipt of the requested transcript, with status reports given to the Court by appellant every 30 days until the appellant receives the transcript. As previously stated, the appellant requested the transcript of the December 18, 2020 hearing from the court reporter, who guaranteed that the transcript would be ready no later than March 23, 2021. The undersigned's office has attempted to contact the court reporter multiple times over the last two weeks to check on the status of the transcript. The court reporter has not responded to any of these attempted communications.

On March 25, 2021, the undersigned contacted Court Administration about the status of the transcript. Court Administration informed the undersigned that the court reporter for the

December 18, 2020 hearing is no longer employed by Court Administration. Further, Court Administration stated that its office is working to obtain that court reporter's records but does not yet have them. Once the records are obtained, Court Administration stated that it will send the record of the hearing to be transcribed and provide the undersigned's office with a copy of the transcript.

On March 29, 2021, the Appellate Court granted appellant's March 26, 2021 Motion for an Extension of Time to File the Amended Record on Appeal and Supplement the Designation of Matter. The appellant has followed up with Court Administration but, as of the date of this filing, has not received a copy of the transcript or a date by which Court Administration will have the hearing transcribed.

For the foregoing reasons, the appellant respectfully requests that the Appellate Court grant the appellant's time for filing Amended Record on Appeal and Supplemental Designation of Matter be held in abeyance for 90 days pending the receipt of the requested transcript, with status reports given to the Court by appellant every 30 days until the appellant receives the transcript, to allow time for Court Administration to obtain the record of the December 18, 2020 hearing and have it transcribed.

Respectfully submitted,

April 30, 2021

s/ Joshua T. Hawkins
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PROOF OF SERVICE

I certify that I filed Appellant's Motion For Filing Deadline of the Amended Record on Appeal and Supplemental Designation of Matter to be Held in Abeyance with the Clerk of Court of the South Carolina Court of Appeals, by electronic filing on April 30, 2021, to ctapfilings@sccourts.org, as well as via U.S. Mail with a check for the filing fee. Additionally, all counsel of record has been served via electronic mail to the following electronic mailing addresses: cgriffin@brblegal.com, jgresh@hallboothsmith.com, emorrison@hallboothsmith.com, lizzilaw@aol.com, lizzilawfirm@aol.com.

April 30, 2021

s/ Joshua T. Hawkins
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April 30, 2021

Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

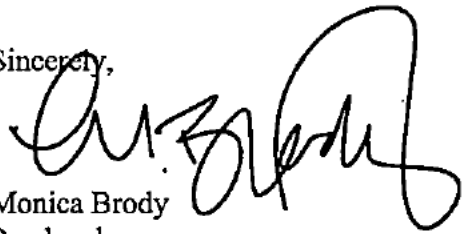
Re: *Gregory Muxlow v. Ruby Tuesday, KC Mulligan's, St. Ives and Carroll Management Group*
Appellate Case No.: 2020-000129

Dear Ms. Kitchings,

Enclosed for filing please find the appellant's Motion for Filing Deadline of the Amended Record on Appeal and Supplemental Designation of Matter to be Held in Abeyance, along with a Proof of Service and check for the filing fee.

Should the Court need anything further, please do not hesitate to reach out to our office.

Sincerely,


Monica Brody
Paralegal

Enclosures

CC: electronic mail only:

Catharine Griffin
Baker Ravenel Bender
Attorney for Respondent Ruby Tuesday

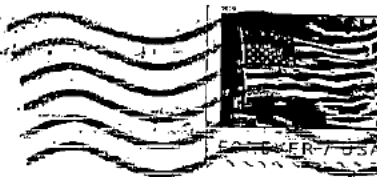
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CLERK OF COURT
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SC Court of Appeals

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