

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
In the Court of Common Pleas
Sixteenth Judicial Circuit

S. Jackson Kimball, Special Circuit Court Judge

Docket No. 2012-CP-46-1815
Appellate Case No. 2012-213563

The Greens of Rock Hill, LLC; GRH 2011, LLC.....Respondent.

v.

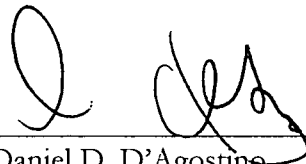
Rizon Commercial Contracting, Inc., Road Machinery and Supplies Co.....Appellant.

PROOF OF SERVICE

I certify that I served the Motion for Extension of Time and to File Initial Brief and Initial Matters to be Designated on Appeal on the respondent by depositing a copy of it in the United States mail, correctly addressed, postage prepaid, on April 2, 2013, addressed to

Herb Hamilton
Tracy Vann
Hamilton, Martens & Ballou, LLC
P O Box 10940
Rock Hill, SC 29731

April 2, 2013



Daniel D. D'Agostino
D'Agostino Law Firm
25 W. Liberty St.
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(803) 628-6509
Attorney for Appellant

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SC Court of Appeals

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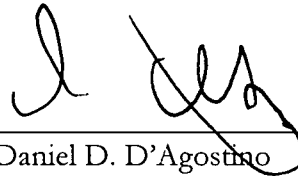
v.

Rizon Commercial Contracting, Inc., Road Machinery and Supplies Co.....Appellant.

MOTION FOR EXTENSION OF TIME AND TO FILE INITIAL BRIEF AND
INITIAL MATTERS TO BE DESIGNATED ON APPEAL

The initial brief and designation of matters to be included on appeal of Appellant was due on March 21, 2013. The Appellant respectfully moves for a thirty (30) day extension of time in which to serve and file outside the time limit. There are no prior motions for extension of time. Counsel for appellant has had a heavy caseload along with a law partner out for an extended period of time for unexpected emergency surgery.

Respectfully submitted.



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Other counsel of record:
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SC Court of Appeals



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April 2, 2013

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: The Greens of Rock Hill, LLC; GRH 2011, LLC v. Rizon Commercial Contracting, Inc.,
Road Machinery and Supplies Co.
C.A. No.: 2012-CP-46-1815

Dear Ms. Kitchings:

Enclosed for filing is a motion in the above case. Also enclosed are the following:

- (1) Proof of service of the motion on the respondent.
- (2) A filing fee of \$25.00.

Sincerely,

Daniel D'Agostino

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cc: Herbert Hamilton
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