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Sep 07 2021
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Case No. 2020-CP-21-02831
Appellate Case No. 2021-000899

Candace Dowell, individually and as the PR of the Estate of Roger Alan Dowell,
Appellant,

v.

Putzmeister America, Inc.; Concrete & Materials Placement, LLC; R.E. Goodson
Construction Co., Inc.; Mead & Hunt, Inc.; Benton Concrete & Utilities, LLC; and
Thomas Concrete, Inc., Defendants,

of which Benton Concrete & Utilities, LLC is the Respondent.

APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules, Appellant respectfully requests a thirty (30) day extension of time to file its Initial Brief and its Designation of Matter to be Included in the Record on Appeal in the above-captioned matter. This is the first request for an extension of this deadline.

Appellant's counsel requests this extension to allow sufficient time for Appellant's counsel to prepare Appellant's Initial Brief and because the undersigned counsel is currently at home with a young child in quarantine until September 17, 2021, because of the ongoing COVID-19 pandemic. In addition, this Court currently has before it for consideration Appellant's

Motion for Remand, or, Alternatively, for Leave to Allow the Lower Court to Decide Plaintiff-Appellant's Pending Rule 60(b) Motion

Respondent's counsel does not oppose the requested extension.

Currently, Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal are due on September 20, 2021. With the additional thirty (30) day extension, Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal will be due on October 20, 2021. Appellant requests that the Court hold the current deadline of September 20 2021, in abeyance pending the Court's consideration and resolution of this motion.

Respectfully submitted,

s/ Nina Fields Britt

Michael J. Brickman (SC Bar No. 00874)

Nina Fields Britt (SC Bar No. 68294)

Caleb M. Hodge (SC Bar No. 104874)

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Attorneys for Appellant

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of which Benton Concrete & Utilities, LLC is the Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that on September 7, 2021, the foregoing motion was served on all counsel of record in this action by mailing a copy of the motion by United States Mail, postage prepaid, and electronic mail to the following addresses:

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s/ Nina Fields Britt

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Attorneys for Appellant

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Via Electronic Mail For Filing

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

Re: Candace Dowell, et al. v. Benton Concrete & Utilities, LLC
Appellate Case No. 2021-000899

Dear Ms. Kitchings:

Attached for filing in the above-referenced matter is Appellant's Unopposed Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Appellant is separately sending the applicable motion filing fee of \$50.00 via Federal Express Overnight Mail to Court's physical address.

By copy of this letter to counsel of record, we are serving them with a copy of this motion.

Very Truly Yours,



Nina Fields Britt

Attachment
cc via email only: All Counsel of Record