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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

Case No. 2020-001525

JAMES EARL TEGELER,.....Appellant,

v.

CHARLOTTE COLLIER, HANNAH ELIZABETH COLLIER, LINDA SMITH, NORTHGATE
BAPTIST CHURCH,..... Respondents.

**MOTION FOR EXTENSION OF TIME WITHIN WHICH TO SERVE
AND FILE THE FINAL BRIEF OF RESPONDENT**

Respondent Northgate Baptist Church, through it undersigned counsel, would respectfully show unto this Court as follows:

Appellant filed and served the Record on Appeal on August 13, 2021. According to South Carolina Appellate Rule 211, every party is required to serve and file its final brief within 20 days of the filing of the Record on Appeal. The deadline for Respondent Northgate Baptist Church's final brief would have been September 2, 2021.

The Court of Appeals issued a deficiency letter to the Appellant on August 17, 2021 related to the Record on Appeal. The volume exceeded 250 pages in violation of Rule 267(b). The deficiency letter ordered counsel for Appellant to correct the deficiency within 10 days.

Until today, Respondent Northgate Baptist Church has not been served with any documentation that confirms to it that Appellant's counsel has corrected the deficiency with the

Record on Appeal. Further, even as of this afternoon, there have been no new entries related to this case on the South Carolina Appellate Management System docket since August 17, 2021.

However, this afternoon, the parties learned through an email from Appellant's counsel that she apparently filed a corrective filing on August 19th. Respondent Northgate Baptist Church was not copied on this filing at the time it was made, and had no notice prior to the email from Appellant's counsel today. Consequently, Northgate Baptist Church respectfully seeks a modest extension of time until Friday, September 10, 2021, for filing its final brief.

This motion is not being filed for purpose of delay. None of the parties would in any way be prejudiced by this extension. It is the first extension of any kind that Respondent Northgate Baptist Church has requested in this case.

WHEREFORE, Respondent Northgate Baptist Church respectfully requests an extension of time for filing its final brief that would allow it to file its final brief by September 10, 2021.

s/Charles E. McDonald III
Charles E. McDonald III
S. Michael Nail
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
300 North Main Street, Suite 500
Greenville, South Carolina 29601
(864) 271-1300 (telephone)
(864) 235-8806 (facsimile)
charles.mcdonald@ogletree.com
michael.nail@ogletree.com

Attorneys for Respondent Northgate Baptist Church

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v.

CHARLOTTE COLLIER, HANNAH ELIZABETH COLLIER, LINDA SMITH, NORTHGATE
BAPTIST CHURCH, Respondents.

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time Within Which to Serve and File the Final Brief of Respondent by sending their attorneys of record a copy of the same via electronic mail and first class mail, properly addressed, postage prepaid at the following addresses:

Deborah D. Davis, Esq.
Dickson Davis Law Firm, LLC
310 Rutherford Street
Greenville, SC 29609
d.davis@dicksondavislaw.com
Attorneys for Appellant

Amy S. Snyder
Clawson and Staubes, LLC
1000 East North Street
Suite 200
Greenville, SC 29601
asnyder@clawsonandstaubes.com
Attorneys for Respondent Charlotte Collier

Daniel R. Hughes
Duggan & Hughes, LLC

457-B Pennsylvania Avenue
P.O. Box 449
Greer, SC 29652
dhughes@dugganhughes.com
Attorneys for Respondents Hannah Elizabeth
Collier and Linda Smith

September 2, 2021

s/Charles E. McDonald III

Ogletree Deakins

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

Attorneys at Law

The Ogletree Building
300 North Main Street, Suite 500
Greenville, SC 29601
Telephone: 864-271-1300
Facsimile: 864-235-8806
www.ogletree.com

Charles E. McDonald III
charles.mcdonald@ogletree.com

September 2, 2021

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

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SC Court of Appeals

RE: **Tegler v. Northgate Baptist Church, et al., Case No. 2020-001525**

Dear Ms. Kitchings:

Please find enclosed for filing in the above-referenced matter the original and one copy of Northgate Baptist Church's Motion for Extension of Time Within Which to Serve and File the Final Brief of Respondent along with the filing fee of \$50.00.

Copies of this filing are being served on counsel for Appellant and counsel for the Co-Respondents.

If you have any questions or concerns, please do not hesitate to contact our office. Thank you for your assistance with this matter.

Sincerely,

s/Charles E. McDonald III

Charles E. McDonald III

CEM:rec

Enclosures

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**Ogletree
Deakins**

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

The Ogletree Building
300 North Main Street
Suite 500
Greenville, SC 29601

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Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
P.O. Box 11629
Columbia, SC 29211



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