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**Sep 20 2021**

**SC Court of Appeals**

**STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS**

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Appeal from the Court of Common Pleas  
For Charleston County  
Honorable J. Durham Cole, Circuit Court Judge  
Civil Action No.: 2017-CP-10-04371  
**Appellate Case No.: 2021-000446**

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CARY E. FECHTER, M.D.,

Appellant,

vs.

LEON MARTIN ORTNER; THE ORTNER  
LAW FIRM, LLC; GERALD ROSENTHAL, and  
ROSENTHAL, LEVY, SIMON and RYLES, P.A.,

Respondents.

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**MOTION FOR EXTENSION OF TIME  
IN WHICH TO FINIAL INITIAL APPELLANT'S BRIEF AND  
DESIGNATION OF MATTER**

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*Attorneys for the Appellant,  
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**TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:**

COMES NOW the Appellant, Cary E. Fechter, M.D. (“Dr. Fechter”), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant him a thirty (30) day extension of time in which to file his Initial Appellant’s Brief and Designation of Matter to be Included in the Record on Appeal (the “DOM”). The basis for this extension motion is that, as this Court of Appeals is aware, the undersigned has only recently become involved as Dr. Fechter’s appellate counsel<sup>1</sup> and needs some additional time in which to prepare the Initial Appellant’s Brief and DOM so as to afford Dr. Fechter ample time for review and consultation as to the contents of the submissions.

Based upon the current briefing schedule Dr. Fechter’s Initial Appellant’s Brief and DOM are currently due to be served on or before **Monday, 20 September 2021** (*the 30<sup>th</sup> day fell on Saturday 18 September 2021*). Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Dr. Fechter would be required to serve his Initial Appellant’s Brief and DOM on or before **Wednesday, 20 October 2019**. The undersigned has consulted with opposing counsel and they have indicated that neither of them object to not intend to object to this proposed extension of time.

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<sup>1</sup> The undersigned was not involved in any of the proceedings in the Trial Court and, therefore, needs extra time to assimilate the information and documentation arising therefrom.

Finally, Dr. Fechter respectfully requests this Court of Appeals to hold the appellate briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted:

Signed: **Stephen P. Groves, Sr.**

Stephen P. Groves, Sr., Esquire

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Charleston, South Carolina

20 September 2021

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***PROOF OF SERVICE***

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Cary E. Fechter, M.D.*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on **20 September 2021**, I served a copy of the **Motion for Extension of Time in Which to File Initial Appellant's Brief and Designation of Matters to be Included in the Record on Appeal** submitted on behalf of the Appellant, Cary E. Fechter, M.D., via e-mail and, in addition, also on **20 September 2021**, via electronic mail to the e-mail addresses noted below:

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Signed: **/s/Stephen P. Groves, Sr.**  
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Charleston, South Carolina

20 September 2021