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Nov 18 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas  
Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2020-001348  
Civil Action No. 2020-CP-36-00093

Jefferson Davis, Jr. .... Appellant,

v.

Chad Connelly, Tom Persons, South Carolina Educational Credit for  
Exceptional Needs Children Fund ..... Respondents.

**MOTION FOR EXTENSION OF TIME TO SERVE AND FILE  
INITIAL REPLY BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON  
APPEAL ON BEHALF OF RESPONDENTS CHAD CONNELLY, TOM PERSONS, AND  
SOUTH CAROLINA EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN FUND**

Pursuant to Rules 208, 209, 240, and 263(b), SCACR, and South Carolina Supreme Court Order 2020-05-29-02 RE: Operation of the Appellate Courts During the Coronavirus Emergency, Respondents Chad Connelly, Tom Persons, and South Carolina Educational Credit for Exceptional Needs Children Fund hereby move for an order granting a thirty (30) day extension of time for the filing of the Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal in this matter. The granting of this request would mean that these documents would be required to be served and filed on or before December 22, 2021.

*s/Justin P. Novak* \_\_\_\_\_

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Justin P. Novak, Esquire  
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– and –

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***Attorneys for Respondents Chad Connelly, Tom  
Persons, and South Carolina Educational Credit  
for Exceptional Needs Children Fund***

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Jefferson Davis, Jr. .... Appellant,

v.

Chad Connelly, Tom Persons, South Carolina Educational Credit for  
Exceptional Needs Children Fund ..... Respondents.

**PROOF OF SERVICE**

I, the undersigned employee of Barnwell Whaley Patterson & Helms, LLC, herby certify that pursuant to Rules 208, 209, 240, and 263(b), SCACR, I have served the *Motion for Extension of Time to Serve and File the Initial Reply Brief and Designation of Matter to be Included in Record on Appeal on Behalf of Respondents Chad Connelly, Tom Persons and South Carolina Educational Credit for Exceptional Needs Children Fund* in this matter upon the Clerk of the South Carolina Court of Appeals, all counsel of record, and all pro se parties by electronic mail or mailing a copy by United States Mail, postage prepaid, on November 18, 2021, to the following addresses:

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
Email: ctappfilings@sccourts.org

Jefferson Davis, Jr.  
403 McCarter Avenue  
Greenville, South Carolina 29615  
Email: jeff@apogeetax.com

/s Natalia De Alba  
Natalia De Alba

November 18, 2021

EST. 1938

# BARNWELL WHALEY

ATTORNEYS AT LAW

JUSTIN P. NOVAK

SPECIAL COUNSEL

[JNOVAK@BARNWELL-WHALEY.COM](mailto:JNOVAK@BARNWELL-WHALEY.COM)

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**Via Email Only**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211  
Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

RE: Jefferson Davis, Jr., Appellant, v. Chad Connelly, Tom Persons & South Carolina Educational Credit for Exceptional Needs Children Fund, Respondents.  
Appellate Case No. 2020-001348  
Our Matter No. 2026.116

Dear Ms. Kitchings:

M. Dawes Cooke, Jr., Geoffrey K. Chambers, and I represent Respondents Chad Connelly, Tom Persons, and the South Carolina Educational Credit for Exceptional Needs Children Fund in the above-referenced matter. As you may know, Appellant served and filed Appellant's Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal on October 22, 2021. Accordingly, my understanding is that Respondents' Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal is due on or before November 22, 2021.

Respondents Chad Connelly, Tom Persons, and the South Carolina Educational Credit for Exceptional Needs Children Fund respectfully request a thirty (30) day extension of time to serve and file these documents pursuant to South Carolina Supreme Court Order 2020-05-29-02 and Rule 263(b), SCACR. The granting of this request would mean that these documents would be required to be served and filed on or before December 22, 2021.

This is these parties' first request for an extension of time regarding this briefing. By copy of this letter, I am serving a copy of this correspondence upon Appellant.

BARNWELL WHALEY PATTERSON & HELMS LLC

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Sincerely,

*s/ Justin P. Novak*  
Justin P. Novak

JPN/nda  
Enclosures

cc: Jefferson Davis, Jr., pro se (via U.S. Mail and E-mail)