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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM YORK COUNTY
Court of Common Pleas**

William A. McKinnon, Circuit Court Judge

**Case No.: 2019-CP-46-01736
Appeal No.: 2021-000907**

Thomas Lovelace and Carol Lovelace Respondent,

v.

**The Center for Oral and axillofacial Surgery, PA
and Mark Billman, DMD, MD Appellants.**

**Respondents Thomas and Carol Lovelace
Motion for Extension of Time to File Initial Brief and Designation of Matter To Be
Included in The Record on Appeal**

The Respondents Thomas and Carol Lovelace, through their undesigned counsel and in accordance with Rule 263(b), SCACR, move this court for a 30-day extension for filing the Respondents’ initial brief and designation of matter to be included in the record on appeal.

This motion is made on the following grounds:

Respondents received the 734 page transcript on November 15, 2021 and Petitioners’ initial brief and designation of matter to be included in the record on appeal on November 24, 2021. Pursuant to Rule 208(a)(2) Respondents’ initial brief is due December 24, 2021 and pursuant to Rule 209(a) Respondents’ designation of matter to be included in the record on appeal is due December 24, 2021.

Given the anticipated upcoming holidays, the length of the transcript, the likely decision to bring in appellate counsel, and the fact that these deadlines have not been previously extended, Respondents seek a thirty day extension.

WHEREFORE, Respondents Thomas and Carol Lovelace hereby respectfully ask this Court for a 30-day extension to file their initial brief and designation of matter to be included in the record on appeal. If granted, the extension would set a new deadline of January 21, 2022.

Respectfully submitted,

s/John D. Kassel

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Attorney for Respondents

November 29, 2021

Columbia, South Carolina

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Thomas Lovelace and Carol Lovelace Respondent,

v.

**The Center for Oral and Maxillofacial Surgery, PA
and Mark Billman, DMD, MD. Appellants.**

PROOF OF SERVICE

I certify that I have served the Respondents' Motion for Extension of Time on Appellants by depositing a copy of it in the United States Mail, postage prepaid, on December 1, 2021, addressed to their attorneys of record:

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Charleston, South Carolina 29401

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December 1, 2021

Respectfully submitted,



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December 1, 2021.

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SC Court of Appeals

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1015 Sumter Street
Post Office Box 11629
Columbia, South Carolina 29211-1629

Re: *Lovelace v. Billman, et al.*
Case No.: 2021-000907

Dear Ms. Kitchings:

Enclosed herewith please find Respondent's Motion for Extension of Time to File Initial Brief and my Proof of Service for same. Respondent's check in the amount of \$50 will follow by mail to cover the filing fee. By copy of this letter I am serving a copy of this filing on Appellants.

Thank you for your kind consideration and cooperation. If you have any questions or concerns, please do not hesitate to call.

Yours very truly,



Elizabeth Cason Moultrie
Senior Paralegal to John D. Kassel,
Theile B. McVey, and Jamie Rae Rutkoski

ECM:bmh

Enclosures

cc: Mr. and Mrs. Thomas C. Lovelace (w/o enclosures)
Joseph J. Tierney, Jr., Esquire (w/enclosures)
Matthew S. Coles, Esquire (w/enclosures)