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Jan 28 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County
Judge James B. Jackson, Jr., Master in Equity

Appellate Case No. 2021-000787

Lyle Wilson Fairey, Jr.,

Appellant.

v.

Joy A. Gillespie, as Personal Representative of the
Estate of Martha Ann Fairey Gillespie,

Respondent,

MOTION FOR EXTENSION OF TIME TO FILE
AND SERVE FINAL BRIEFS

Now comes Appellant, Lyle Wilson Fairey, Jr., by and through the undersigned attorney requesting an extension of time to file the parties Final Briefs and permission to file a Final Reply Brief despite not filing an Initial Reply Brief. The grounds for the Motion are as follows:

- 1) Appellant served the Record on Appeal on Respondent on January 10, 2022. Therefore the parties' Final Briefs are required to be filed no later than January 30, 2022.
- 2) Due to professional obligations of counsel, both Appellant's and Respondent's counsel respectfully request an extension until and including February 18, 2022, to file and serve their Final Briefs.
- 3) Appellant and Respondent jointly request the extension of time to file their Final Briefs.

4) Additionally Appellant was prevented from timely filing an Initial Reply Brief because of a death in the family and his spouse's illness. Respondent has consented to Appellant filing a Final Reply Brief without the necessity of filing an Initial Reply Brief.

WHEREFORE, for the reasons stated above, Appellant requests an order allowing the parties to file their Final Briefs on or before February 18, 2022, and allowing Appellant to file a Final Reply Brief within that same time frame despite not filing an Initial Reply Brief.

January 28, 2022

Orangeburg, SC

s/Russell A. Blanchard IV

Russell A. Blanchard IV, SC Bar No. 76369

Williams & Williams

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Attorney for Appellant

Other Counsel of Record:

Robert F. McCurry

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Attorney for Respondent

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PROOF OF SERVICE

I certify that I have served Appellant's Motion for Extension of Time to File Final Briefs on Joy A. Gillespie, as Personal Representative of the Estate of Martha Ann Fairey Gillespie, Respondent, by emailing her attorney of record, Robert F. McCurry, Jr., of Horger Barnwell & Reid, LLP, at his AIS email address (rfmccurry@hbrllp.com) in compliance with The Supreme Court of South Carolina's Amended Order 2020-05-29-02 RE: Operation of the Appellate Courts during the Coronavirus Emergency (As Amended May 29, 2020).

January 28, 2022

Orangeburg, SC

s/Russell A. Blanchard IV

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