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Mar 28 2022

SC Court of Appeals

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

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

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.

***MOTION FOR EXTENSION OF TIME
IN WHICH TO FINIAL INITIAL REPLY
(Ortner Respondents)***

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*Attorneys for the Appellant,
Cary E. Fechter, M.D.*

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 ten (10) day extension of time in which to file his Initial Reply Brief in response to that of the Respondents, Leon Martin Ortner and Ortner Law Firm, LLC (the “Ortner Respondents”). The basis for this extension motion is that the undersigned will be authoring two reply briefs and needs some additional time in which to prepare the Initial Reply Brief directed towards the Ortner Respondents.

Based upon the current briefing schedule Dr. Fechter’s Initial Reply Brief (Ortner Respondents) is currently due to be served on or before **Thursday, 31 March 2022**. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Dr. Fechter would be required to serve his Initial Reply Brief (Ortner Respondents) on or before **Monday, 11 April 2022.**¹ 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.

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.

¹ The undersigned counsel will be out of the office on a previously scheduled vacation during the ten-day time period involved in this first extension request. Consequently, the undersigned will submit a second extension request in several days seeking an additional ten-day extension of time which would appear to terminate as of 21 April 2022.

Respectfully submitted:

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

Stephen P. Groves, Sr., Esquire

SC Bar No.: 7854

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***PROOF OF SERVICE
(First Extension Request)***

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Cary E. Fechter, M.D.*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on **28 March 2022**, I served a copy of the **Motion for Extension of Time in Which to File Initial Reply Brief (Ortner Respondents)** submitted on behalf of the Appellant, Cary E. Fechter, M.D., via electronic mail to the e-mail addresses noted below:

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Signed: **/s/Stephen P. Groves, Sr.**
Stephen P. Groves, Sr., Esquire

Charleston, South Carolina

28 March 2022