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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM RICHLAND COUNTY
Master-in-Equity

MAY 02 2022

SC Court of Appeals

Joseph M. Strickland, Master in Equity

Case No. 2019-CP-40-5698
Appellate Case No. 2021-001219

First Citizens Bank and Trust
Company, Inc,

Respondent,

v.

Justin K. Spires, Timothy J.
Spires, Sr. South Carolina
Department of Probation,
Parole and Pardon Services
and Warren B. Giese as
Solicitor,

Of who, Justin K. Spires and
Timothy J. Spires are the

Appellants.

Motion to File Outside of Deadline

Come now Justin Spires and Timothy Spires, Sr., by and through their Counsel, Shawn M. French, Sr. and asks this court to grant them leave to file the initial brief out of time. A copy of the initial brief and designation of matter are filed with this motion. This motion is made pursuant to Rules 240 and 263 SCAR. The Initial Brief and the Record on Appeal were not filed due medical issues regarding his wife's pregnancy and the birth of their child. Due to medical complications and concerns, Mr. French had to accompany his wife out of town for her care and the delivery of their child. This

caused errors in and delays in drafting and filing the Initial Brief and Designation of Matter. Their son has been born, and all are healthy so there should be no further delays.

May 2, 2022

/s/Shawn M. French, Sr.
Shawn M. French, Sr.
1476 Ben Sawyer Blvd, Ste. 3
Mount Pleasant, SC 29464
(ph) 843-606-6440
shawn@thefrenchlawfirm.com
Attorney for Appellants

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Proof of Service

I certify that I have served the Initial Brief, Designation of Matter, and Motion to file outside of Deadline by depositing a copy of it in the United States Mail, postage prepaid, addressed to its attorneys of record listed below.

Theodore von Keller
PO Box 4216
Columbia, SC 29240

May 2, 2022

/s/Shawn M. French, Sr.
Shawn M. French, Sr.

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SC Court of Appeals

MAY 2, 2021

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: First Citizens Bank and Trust, Inc. v. Justin K. Spires, et al.
Case No.: 2019-CP-40-5698

To Whom It May Concern,

Please find enclosed the Initial Brief of Appellant, Designation of Matter, and Motion to File Outside of Deadline with \$50.00 motion filing fee.

If you have any questions, you can contact me at the above number.

Sincerely,

Shawn M. French
Cc File
Justin Spires
Timothy Spires
Ted von Keller

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SC Court of Appeals

Joshua Edwards, AAG
South Carolina Attorney General's Office
P.O. Box 11549
Columbia, SC 29211

|||
The Honorable Jenny Abbott Kitchings
Clerk of Court — SC Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211