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May 12 2022

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Appellate Case No. 2022-000490

Donald and Carlee Simmmons, Respondents,

v.

Benson Hyundai, LLC, Appellant.

RESPONDENTS' MOTION TO GRANT AN EXTENSION OF TIME TO
RESPOND TO PETITION FOR A WRIT OF CERTIORARI

E. Warren Moise
GRIMBALL & CABANISS, L.L.C.
P. O. Box 31358
Charleston, SC 29417
Tel: (843) 722-0311
Fax: (843) 722-1374
S.C. Bar Number 11848
warren.moise@gmail.com
ATTORNEYS FOR THE RESPONDENTS

Other Counsel of Record:
Bradford N. Martin (S.C. Bar No. 3658)
Laura W.H. Teer (S.C. Bar No. 16698)
BRADFORD NEAL MARTIN & ASSOCIATES, PA
P.O. Box 10410
Greenville, South Carolina 29603
Tel: (843) 552-9990
Fax: (843) 552-9992
ATTORNEYS FOR THE APPELLANT

I. Motion to grant an extension of time in which to respond to Petition for Writ of Certiorari to the Supreme Court

You will please take notice that, within 10 days or as soon thereafter as Counsel may be heard, Respondents will move before this Court for an Order granting an additional 30 days in which to respond to the Petition for Writ of Certiorari. This Motion is based on South Carolina Rule of Appellate Procedure 240, the Memorandum below, and the attached Affidavit.

II. Memorandum in Support of Motion

Appellant's Petition for Writ of Certiorari was received by the Court of Appeals on April 21, 2022. Within a matter of days, Respondents' counsel was tested positive for COVID. After a video appointment with Respondents' counsel's medical doctor (and testing), he was prescribed with medicine and told to go into quarantine, which he did at home.

Respondents now ask for an additional period of time, namely to June 20, 2022, to file their brief and other papers in their appeal.

III. Certification

I certify that I have communicated in good faith with all other involved counsel to resolve this matter, and they consent.

BY: s/E. Warren Moïse
E. Warren Moïse
S.C. Bar No. 0011848
P. O. Box 31358
Charleston, SC 29417
Tel: (843) 722-0311
Fax: (843) 722-1374
warren.moïse@gmail.com
ATTORNEYS FOR RESPONDENTS

Charleston, South Carolina

Dated: May 12, 2022