

SUPREME COURT OF NORTH CAROLINA

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ERIC STEVEN FEARRINGTON,  
CRAIG D. MALMROSE,

Plaintiff-Appellees,

v.

CITY OF GREENVILLE, PITT  
COUNTY BOARD OF EDUCATION,

Defendant-Appellants.

From the Court of Appeals  
No. 20-87

From Pitt County  
No. 19 CVS 1217

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**MOTION FOR EXTENSION OF TIME TO  
FILE REPLY BRIEF**

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TO THE HONORABLE SUPREME COURT OF NORTH CAROLINA:

Defendant-Appellant City of Greenville, through undersigned counsel, moves this Court under Rule 27(c) of the North Carolina Rules of Appellate Procedure for an extension of time of fifteen (15) days, up to and including 5 September 2023, in which to file its reply brief in this matter under Rule 15. In support of this motion, Defendant-Appellant shows:

1. Defendant-Appellant’s Petition for Discretionary Review was filed on 19 April 2022.
2. By Order certified on 6 April 2023, the Court allowed Defendant-Appellant’s Petition for Discretionary Review.
3. Defendant-Appellant filed its brief with this Court on 7 June 2023.

4. Plaintiff-Appellees filed their response brief on 7 August 2023.
5. Defendant-Appellant's reply brief is currently due on 21 August 2023.
6. The undersigned counsel reasonably believes that they will require additional time to prepare Defendant-Appellant's reply brief because of the complexity of the issues and parties in this matter. Further, counsel for Defendant-Appellant is currently involved in several ongoing, time-intensive litigation matters that will impede their ability to appropriately prepare the reply brief before the expiration of the current deadline.
7. The time for filing Defendant-Appellant's reply brief has not expired.
8. Per North Carolina Rule of Appellate of Procedure 37(c), Defendant-Appellant has conferred with the other parties in this action, and they do not object to this request for an extension of time.

WHEREFORE, Defendant-Appellant City of Greenville respectfully moves this Court under Rule 27(c) for an extension of fifteen (15) days, up to and including 5 September 2023, or whatever other time the Court deems appropriate, in which to file its reply brief in this matter.

Respectfully submitted, this 8th day of August 2023.

**HARTZOG LAW GROUP**

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I certify that all of the attorneys listed below have authorized me to list their names on this document as if they had personally

signed it.

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**CERTIFICATE OF SERVICE**

I certify that I served the attached **Motion for Extension of Time to File Reply Brief** on all parties by United States Mail, postage prepaid, and electronic mail addressed as follows:

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This the 8th day of August 2023.

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