COMMONWEALTH OF KENTUCKY
KENTUCKY COURT OF APPEALS
CASE NO.

IN RE: ESTATE OF MARY KATHERINE CHANDLER, deceased

STEVE CHANDLER — APPELLANT

V.

APPEAL FROM CRITTENDEN CIRCUIT COURT
HONORABLE RENE' WILLIAMS
CIVIL ACTION NO. 15-XX-00005

WILLIAM ROBINSON, EXECUTOR OF THE ESTATE, ET AL — APPELLEES

MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL AND MOTION FOR DISCRETIONARY REVIEW

Comes now the undersigned, Allison Coffeen, Attorney at Law, and submits the following Motion to this Court on behalf of Kayce R. Powell, counsel of record for Appellant in this matter. Due to the unexpected death of Ms. Powell's mother, Jacqueline Henson, on Monday, July 27, 2015, Ms. Powell is requesting an extension of time to file a Notice of Appeal and a Motion for Discretionary Review with this Court beyond the statutory time periods provided under RCr 76. Both the Notice of Appeal and the Motion for Discretionary Review pertain to rulings issued in the same July 8, 2015 order of the Crittenden Circuit Court, which is attached to this Motion. Further in support of this Motion, please see the attached affidavit of Ms. Powell's paralegal, Cindy

Linton. Ms. Powell will be out of the office for at least the next two weeks and does not know exactly when she will be able to return to work; consequently, she asks this Court for an extension at least up to and until September 1, 2015, to file her Notice of Appeal and Motion for Discretionary Review from the July 8, 2015 Order of the Crittenden Circuit Court, which is also attached to this Motion.

The undersigned counsel is submitting this motion only for the purpose of requesting this emergency extension and is not entering any kind of an appearance in this matter.

Respectfully submitted this the 30 day of July, 2015.

ALLISON COFFEEN
ATTORNEY AT LAW
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HOPKINSVILLE, KY 42241-1131
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the following persons by U.S. Mail, postage prepaid, to: Hon. Samuel Gives, Jr., Clerk of Court of Appeals, 360 Democrat Drive, Frankfort, Kentucky 40601, (5 copies); Melissa Guill, Circuit Court Clerk, 107 South Main Street, Suite 202, Marion, Kentucky 42064; Hon Rene' Williams, Circuit Court Judge, 35 U.S HWY 41A South, P.O. Box 126 Dixon, Kentucky 42409; Hon. Daniel M. Heady, District Court Judge, 35 U.S. HWY 41A South, P.O. Box 289, Dixon, KY 42409; Megan Randolph, Attorney for Appellees, 110 South Court Street, P.O. Box 210, Morganfield, KY 42437; Rebecca Johnson, Attorney for the Estate of Mary Katherine Chandler, 217 West Bellville Street, P.O. Box 415, Marion, KY 42604 this 31 day of July, 2015.

Allison Coffeen

COMMONWEALTH OF KENTUCKY
KENTUCKY COURT OF APPEALS
CASE NO.

IN RE: ESTATE OF MARY KATHERINE CHANDLER, deceased

STEVE CHANDLER — APPELLANT

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HONORABLE RENE' WILLIAMS
CIVIL ACTION NO. 15-xx-00005

ESTATE OF HAROLD KEITH CHANDLER — APPELLEES

AFFIDAVIT OF CINDY A. LINTON

I, Cindy A. Linton, being first duly sworn, say:

1. I am the legal assistant of Kayce R. Powell, attorney of record for the Appellant Steve Chandler.

2. Our office plans to file a Notice of Appeal on the Order entered by the Crittenden Circuit Judge on July 8, 2015, regarding the Judge's ruling refusing to recuse herself from this matter.

3. Our office also plans to file a Motion for Discretionary Review on the Appellant's Motion to re-open the estate of Mary Katherine Chandler; said motion was denied by the Crittenden District Court and the decision of the Crittenden District Court was affirmed by the Crittenden Circuit Court in the same Order issued July 8, 2015. Due to the circumstances, Ms. Powell will not be back in the office in time to meet the deadline to file her Motion for Discretionary Review on that matter, and she needs an extension in order to file the necessary paperwork.

4. In support of request, Kayce R. Powell's mother, Jaqueline Henson unexpectedly passed on Monday July 27, 2015, Mrs. Powell is out of town and in the process of handling the funeral arrangements and business affairs of her mother. In addition, Mrs. Powell is currently grieving her death and is not in the state of mind to complete the necessary paperwork to file the Motion for Discretionary Review and the Notice of Appeal before deadline.

5. I am not a licensed attorney and cannot complete the work in Mrs. Powell's absence.

The Affiant, Cindy A. Linton, sayeth naught.

This the 31 day of July, 2015.

Cindy A. Linton

Cindy A. Linton

State of Kentucky

County of Christian

I, the undersigned, hereby certify that the foregoing was subscribed, acknowledged, and sworn to me by Cindy A. Linton on this the 30th day of June, 2015.

My commission expires on: _____

_____

Notary Public, State at Large