

THE STATE OF SOUTH CAROLINA  
In the Supreme Court  
APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

RECEIVED

Jul 26 2022

S.C. SUPREME COURT

The Honorable Henry W. Brown  
Special Referee

Unpublished Opinion No. 2022-UP-175  
Filed April 20, 2022  
Petition for Rehearing Denied May 19, 2022

Appellate Court Case No. 2022-000854

Brown Contractors, LLC under S.C. Residential Builders License No. 20378,

..... Respondent,  
v.

Andrew Joseph McMarlin a/k/a Andrew Joseph McMarlin and Amy Salzhauer,

..... Petitioners,

and

Andrew McMarlin and Amy Salzhauer,

..... Petitioners,  
v.

James Brown IV and Brown-Meihaus Construction, LLC,

.....Third-Party Defendants.

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**BROWN CONTRACTOR’S MOTION TO FILE OUT OF TIME RETURN  
TO THE MCMARLINS’S PETITION FOR CERTIORARI**

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The Respondent Brown Contractors, LLC (“Petitioner” or “Brown Contractors”) submits this motion pursuant to Rule 242(f) and Rule 240, South Carolina Appellate Court Rules (“SCACR”), to file its return to the Petition for Certiorari of the Petitioners Andrew Joseph McMarlin *et al.* Brown Contractors requests an extension of ten (10) days

retroactive to July 20, 2022, which if granted would make its return due on Friday, July 29, 2022. Counsel has received Petitioner's counsel's approval for this motion.

Respectfully submitted,

/s Robert B. Varnado

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July 26, 2022  
Charleston, South Carolina