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Sep 26 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY COURT OF COMMON PLEAS

The Honorable H. Steven DeBerry, IV, Circuit Court Judge

Appellate Case No. 2022-001266
Common Pleas Case No. 2021-CP-27-00028

City of Hardeeville.....Appellant,

v.

Jasper County, South Carolina, Jasper County Treasurer,
and Jasper County Auditor.....Respondents,

AND

Jasper County, South Carolina.....Cross Co-Plaintiff,

Verna Garvin, in her official capacity
as Jasper County TreasurerCross Co-Plaintiff,

and

Monica Wilson, in her official capacity
as Jasper County Auditor.....Cross Co-Plaintiff,

v.

City of Hardeeville, Nickel Plate Road, LLC, and Beaufort County,
South Carolina.....Cross Defendants.


APPELLANT’S MOTION FOR EXTENSION OF TIME

Appellant, City of Hardeeville (“Appellant”) respectfully requests an extension of time of 30 days to file the Initial Brief and Designation of Matters for the Record on Appeal. The Appellant

requests the additional 30 days to provide sufficient time to complete preparation of the Initial Brief and Designation of Matters for the Record on Appeal.

The current deadline for the Initial Brief and Designation of Matters for the Record on Appeal is on or before Thursday, October 13, 2022. The Appellant respectfully moves this Court for a thirty-day extension of time to file the Initial Brief and Designation of Matters for the Record on Appeal until on or before Friday, November 11, 2022.

Respectfully submitted,

KING KOZLAREK LAW LLC


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Counsel for Appellant City of Hardeeville

September 26, 2022
Greenville, South Carolina

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City of Hardeeville, Nickel Plate Road, LLC, and Beaufort County,
South Carolina.....Cross Defendants.

PROOF OF SERVICE

I certify that a copy of the foregoing *Appellant's Motion for Extension of Time*, has been served on the following on September 26, 2022, by emailing and placing same in the United States mail, postage prepaid, addressed as follows:

Counsel for Jasper County
Walter H. Cartin, Esq.
J. Evan Phillips, Esq.
Parker Poe Adams & Bernstein LLP
1221 Main Street, Suite 1100 (29201)
Post Office Box 1509
Columbia, SC 29202

and by e-mailing same to waltcartin@parkerpoe.com and evanphillips@parkerpoe.com

Counsel for Nickel Plate Road, LLC
Bernie W. Ellis, Esq.
Burr & Forman LLP
Post Office Box 447
Greenville, SC 29602


and by e-mailing same to bellis@burr.com

Counsel for Jasper County Auditor and Jasper County Treasurer
Thomas Allan Bendle, Jr.
Post Office Box 40
Beaufort, SC 29901

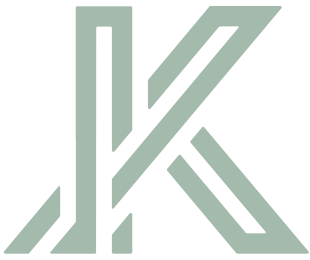
and by e-mailing same to tbendle@hghpa.com

Counsel for Beaufort County
Thomas J. Keaveny, II, Esq.
Beaufort County Attorney's Office
Post Office Drawer 1228
Beaufort, SC 29901-1228

and by e-mailing same to tkeaveny@bcgov.net



Michael E. Kozlarek



MICHAEL E. KOZLAREK SCCEd
Admitted: SC, GA, NC, VA
michael@kingkozlarek.com

September 26, 2022

Via Electronic Filing (ctappfilings@sccourts.org) and US Mail (check only)

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

Re: City of Hardeeville v. Jasper County, et al.
Case No. 2021-CP-27-00028
Appellate Case No. 2022-001266

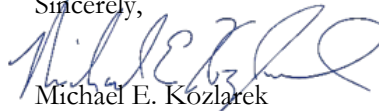
Dear Ms. Kitchings:

We represent the Appellant City of Hardeeville in the referenced matter. Appellant filed its Notice of Appeal on September 13, 2022. A copy of the transcript was ordered on November 17, 2021, and received on December 17, 2021. We understand that all parties received a copy of the transcript at the same time. As a result, we have not ordered an additional transcript for this appeal. Absent an extension, it is our understanding that Appellant's Initial Brief would be due to the Court no later than Thursday, October 13, 2022.

We have enclosed for filing Appellant's Motion for Extension of Time to file the Initial Brief and Designation of Matters for the Record on Appeal on or before Friday, November 11, 2022. I have also enclosed a check in the amount of \$50.00 for the required filing fee (via US Mail).

By copy of this letter to all counsel of record we are informing them of our receipt of the transcript, related deadline, and Motion for Extension.

Sincerely,



Michael E. Kozlarek

MEK/cbs

cc:

Walter H. Cartin, Esq. (via electronic mail)
J. Evan Phillips, Esq. (via electronic mail)
Bernie W. Ellis, Esq. (via electronic mail)
Thomas Allan Bendle, Jr., Esq. (via electronic mail)
Thomas J. Keaveny, II, Esq. (via electronic mail)

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ATTORNEYS AT LAW

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