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IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Roger M. Young, Circuit Court Judge

Case No. 2022-001385

RECEIVED

JAN 11 2023

SC Court of Appeals

Matthew ZetzAppellant,

v.

Daniel Island Company, Inc.;
Daniel Island Community Foundation, Inc.;
Daniel Island Town Association, Inc.;;
Daniel Island Community Association, Inc.; and
MGR Resources, Inc. d/b/a Moonlighting
Landscape Systems, Defendants

Of whom Daniel Island Company, Inc., is theRespondent.

**RESPONDENT DANIEL ISLAND COMPANY, INC.’S MOTION FOR EXTENSION OF
TIME TO FILE AND SERVE ITS INITIAL BRIEF AND DESIGNATION OF MATTER**

AND NOW COMES Respondent Daniel Island Company, Inc. (“DIC”), by and through
its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of thirty
(30) days additional time to file and serve its Initial Brief and Designation of Matter.

1. Presently, in accordance with Rule 208(a)(2), the deadline for DIC’s Initial Brief
and Designation of Matter is Friday, January 13, 2023.

2. Because of a delay in receiving a copy of the hearing transcript, Respondent DIC's counsel requires a short extension of time to file and serve its Initial Brief and Designation of Matter.

3. Specifically, Respondent DIC respectfully requests that the Court extend this deadline by 30 days.

4. Respondent DIC believes that this relief is consistent with the interests of justice and will not work any undue prejudice upon any party.

5. Counsel for Appellant Matthew Zetz has graciously consented to the relief requested herein.

WHEREFORE, for all of the foregoing reasons, Respondent Daniel Island Company, Inc. moves this Honorable Court to grant it an additional extension of 30 days to file and serve its Initial Brief and Designation of Matter. With the requested extension of time, the new deadline for filing and serving Respondent DIC's Initial Brief and Designation of Matter will be February 13, 2023. Additionally, Respondent DIC respectfully requests that the Court hold its present deadline for the service and filing of DIC's Initial Brief and Designation of Matter in abeyance until it acts upon this Motion.

Barnwell Whaley Patterson & Helms, LLC

s/K. Michael Barfield

K. Michael Barfield (S.C. Bar No. 69400)

Allison M. Burns (S.C. Bar No. 105528)

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Counsel for Respondent Daniel Island Company, Inc.

January 9, 2023
Charleston, South Carolina

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PROOF OF SERVICE

I certify that I have served Respondent’s Motion for Extension of Time to File and Serve Its Initial Brief and Designation of Matter on Appellant Matthew Zetz via e-mail and by depositing a copy of it in the United States Mail, postage prepaid, on January 9, 2023, addressed to Appellant’s counsel of record, Lane Douglas Jeffries, Roy T. Willey, IV, Eric Marc Poulin, and Angeline M. Larrivee, 32 Ann Street, Charleston, SC 29403.

EST. 1938

BARNWELL WHALEY

ATTORNEYS AT LAW

K. MICHAEL BARFIELD

MEMBER ATTORNEY

MBARFIELD@BARNWELL-WHALEY.COM

reply to Charleston office

January 9, 2023

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via e-mail – ctappfilings@sccourts.org
and confirmed via U.S. mail

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JAN 11 2023
SC Court of Appeals

Re: Matthew Zetz v. Daniel Island Company, Inc.
Appellate Case No. 2022-001385

Dear Ms. Kitchings:

Please find enclosed for filing Respondent's Motion for Extension of Time to File and Serve Its Initial Brief and Designation of Matter. Also enclosed is a Proof of Service and our firm's check in the amount of \$50.00 to cover the filing fee.

Very truly yours,

s/K. Michael Barfield

/jas
enclosures

c: Lane Douglas Jeffries, Esq.
Roy T. Willey, IV, Esq.
Eric Marc Poulin, Esq.
Angeline M. Larrivee, Esq.

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Counsel for Respondent Daniel Island Company, Inc.

January 9, 2023

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