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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Appellate Case No. 2022-000983

Timothy B. Smith, Appellant,

vs.

Charleston County Assessor, Respondent.

MOTION FOR EXTENSION

Respondent Charleston County Assessor respectfully moves this Court pursuant to Rule 263, SCACR, for an extension of time to file the Initial Brief and Designation of Matter, which are currently due February 16, 2023. Counsel for Appellant has consented to this extension and does not oppose the Motion. The basis for this Motion is that the spouse of counsel for Respondent is currently scheduled for surgeries on February 1, 2023, and February 8, 2023, requiring the presence and attention and post-operative care of counsel for Respondent. Respondent requests a forty-five (45) day extension to serve and file the Initial Brief and Designation of Matter, making them due on April 3, 2023.

CHARLESTON COUNTY ATTORNEY’S OFFICE

/s/ Bernard E. Ferrara, Jr.

Bernard E. Ferrara, Jr., Esq. (S.C. Bar No. 9034)
Kevin M. DeAntonio, Esq. (S.C. Bar No. 101169)
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January 20, 2023

Attorneys for Respondent

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vs.

Charleston County Assessor, Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that on this 20th day of January, 2023, he served counsel for the Appellant with a copy of Respondent Charleston County Assessor’s Motion for Extension of Time in this matter by mailing a copy of the same via electronic mail and U.S. First Class Mail, postage prepaid, upon counsel of record addressed as follows:

Felix C. Pelzer, Jr. Esquire
G.P. Diminich, Esquire
Nicholas C.C. Stewart, Esquire
SHUMAKER, LOOP & KENDRICK, LLP
176 Croghan Spur Road, Suite 400
Charleston, South Carolina 29407

/s/ Bernard E. Ferrara, Jr.
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January 20, 2023

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

Re: Timothy B. Smith vs. Charleston County Assessor
Appellate Case No. 2022-000983

Dear Ms. Kitchings:

I hope this finds you well. Our office represents the Respondent Charleston County Assessor in the above-referenced appeal.

I have enclosed the original and seven (7) copies of Respondent's Motion for Extension of time pursuant to Rule 263, SCACR, to file the Initial Brief and Designation of Matter, which are currently due February 16, 2023. Respondent requests a forty-five (45) day extension to serve and file the Initial Brief and Designation of Matter, making them due on April 3, 2023. Counsel for Appellant has consented to this extension and does not oppose the Motion.

I have enclosed a check in the amount of \$50.00 to cover the filing fee. Please file the original and copies of the Motion and return a copy to me in the enclosed envelope. By copy of this letter to counsel for Appellant, I am notifying them of this filing.

Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

CHARLESTON COUNTY ATTORNEY'S OFFICE

Bernard E. Ferrara, Jr.

BEFJR/ca
Enclosures

cc: Felix C. Pelzer, Jr., Esquire
G. P. Diminich, Esquire
Nicholas C.C. Stewart, Esquire