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Jan 24 2023
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE CIRCUIT COURT
FOURTEENTH JUDICIAL CIRCUIT

The Honorable Marvin H. Dukes III

Appellate Court Case No. 2022-001772
Circuit Court Case No. 2020-CP-07-2160

Bay Point Island, LLC,Appellant,

v.

County of Beaufort and Beaufort County Zoning Board of Appeals, Respondents.

AND

South Carolina Coastal Conservation League, Inc. and
Gullah/Geechee Fishing Association, Respondents.

APPELLANT’S MOTION FOR EXTENSION

Pursuant to SCACR, Rules 240 and 263(b), Appellant, Bay Point Island, LLC (“Appellant”) moves this Honorable Court to grant an extension of time to serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal. The current deadline for Appellant to serve and file its Initial Brief and Designation of Matter is January 27, 2023. Appellant respectfully requests the deadline be extended until February 27, 2023. This is Appellant’s first request for an extension of this deadline. The undersigned consulted with counsel for Respondents prior to filing this motion who indicated they do not oppose this request.

January 24, 2023

s/John A. Massalon
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Attorneys for Appellant Bay Point Island, LLC

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PROOF OF SERVICE

I certify that Appellant’s Motion for Extension was served upon Respondents County of Beaufort and Beaufort County Zoning Board of Appeals and Intervenor-Respondents South Carolina Coastal Conservation League, Inc. and Gullah/Geechee Fishing Association via e-mail to counsel of record listed below on January 24, 2023. A copy of the service e-mail is attached hereto as Exhibit A.

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Attorneys for Appellant Bay Point Island, LLC

January 24, 2023

Exhibit A

Charline Barrasso

From: Charline Barrasso
Sent: Tuesday, January 24, 2023 5:08 PM
To: 'Keaveny, Thomas'; 'Brad Mitchell'; 'leslie@scelp.org'; 'amy@scelp.org'; 'ross@mklawsc.com'
Cc: John A. Massalon; Carissa Steichen; 'liz@mklawsc.com'; 'Alicia@mklawsc.com'
Subject: Bay Point Island, LLC v. County of Beaufort, et al.
Attachments: 20230124 Motion for Extension.pdf; 20230124 Clerk of Court.pdf

Dear Counsel,

Attached for service, please find Appellant's Motion for Extension in regard to the above-referenced matter, along with correspondence to the Clerk of Court enclosing the filing fee. If you have any questions, please do not hesitate to contact us.

Thank you,

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