

RECEIVED

Jan 26 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-00955
Appellate Case No. 2019-001520

Palmetto Pointe at Peas Island Condominium Property
Owners Association, Inc. and Jack Love, individually, and on
behalf of all others similarly situated,

Appellants,

v.

Island Pointe, LLC, Complete Building Corporation, Tri-
County Roofing, Inc., WC Services, Inc., Miracle Siding,
LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC,
Eloy Alonzo Vasquez, JMC Construction, Inc., and JMC
Construction, LLC,

Defendants,

Of which WC Services, Inc. is the

Respondent.

**APPELLANTS' MOTION FOR EXTENSION OF TIME
TO PETITION FOR REHEARING**

Justin O. Lucey (SC Bar No. 15438)
Joshua F. Evans (SC Bar No. 77448)
Sohayla R. Townes (SC Bar No. 102814)
Stephanie D. Drawdy (SC Bar No. 70205)
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, South Carolina 29464
P.O. Box 806 (29465)
(843) 849-8400

Attorneys for Appellants

Edward D. Buckley, Jr. (SC Bar No. 994)
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 724-5446

Attorneys for Appellants

NOW COME Appellants, Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love, individually and on behalf of all others similarly situated, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of fifteen (15) days' time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed January 11, 2023.

Rule 221(a), SCACR, provides, "Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court." Based on the January 11, 2023, filing of the Court's opinion in this case, the present deadline to petition for rehearing is the close of business today, Thursday, January 26, 2023, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15th day after the opinion's filing. Because of work-related and other time commitments, the undersigned requests the Court's allowance of fifteen (15) days' additional time to petition for rehearing.

Respectfully, the undersigned submits there is good cause for the Court to grant the relief requested herein, as it is, under the circumstances, a reasonable dispensation, timely sought, consistent with the interests of justice, posing no threat of undue prejudice to any other party.

WHEREFORE, Appellants request the Court grant them an extension of 15 days' time to petition for rehearing. By the undersigned's calculations, the granting of this relief would make the new deadline to petition for rehearing Friday, February 10, 2023. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellants request that the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,

By: s/Russell G. Hines

Justin O. Lucey (SC Bar No. 15438)

Joshua F. Evans (SC Bar No. 77448)

Sohayla R. Townes (SC Bar No. 102814)

Stephanie D. Drawdy (SC Bar No. 70205)

JUSTIN O'TOOLE LUCEY, P.A.

415 Mill Street

Mt. Pleasant, South Carolina 29464

P.O. Box 806 (29465)

(843) 849-8400

and

Edward D. Buckley, Jr. (SC Bar No. 994)

Russell G. Hines (SC Bar No. 72100)

CLEMENT RIVERS, LLP

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 724-5446

Attorneys for Appellants

Charleston, South Carolina

January 26, 2023

RECEIVED

Jan 26 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-00955
Appellate Case No. 2019-001520

Palmetto Pointe at Peas Island Condominium Property
Owners Association, Inc. and Jack Love, individually, and on
behalf of all others similarly situated,

Appellants,

v.

Island Pointe, LLC, Complete Building Corporation, Tri-
County Roofing, Inc., WC Services, Inc., Miracle Siding,
LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC,
Eloy Alonzo Vasquez, JMC Construction, Inc., and JMC
Construction, LLC,

Defendants,

Of which WC Services, Inc. is the

Respondent.

PROOF OF SERVICE

Justin O. Lucey (SC Bar No. 15438)
Joshua F. Evans (SC Bar No. 77448)
Sohayla R. Townes (SC Bar No. 102814)
Stephanie Drawdy (SC Bar No. 70205)
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, South Carolina 29464
P.O. Box 806 (29465)
(843) 849-8400

Attorneys for Appellants

Edward D. Buckley, Jr. (SC Bar No. 994)
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 724-5446
Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that **APPELLANTS' MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this appeal on January 26, 2023, via email (see attached) to their following counsel of record:

James A. Atkins, Esquire
CLAWSON & STAUBES, LLC
jatkins@clawsonandstaubes.com

*Attorneys for Respondent
WC Services, Inc.*

Respectfully submitted,

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 724-5446
Attorneys for Appellants

Charleston, South Carolina

January 26, 2023

From: [Hines, Russell](#)
To: jatkins@clawsonandstaubes.com
Cc: [Jean-Charles, Alice](#); jzambiczki@lucey-law.com; lweiland@lucey-law.com; sdrawdy@aol.com; [Bell, Pollyana \(Polly\)](#); sohayla.townes@gmail.com; [Buckley, Edward D. \(Ed\)](#); ilucey@lucey-law.com; jevans@lucey-law.com; sdrawdy@lucey-law.com; stownes@lucey-law.com; [Justman, Aimee](#)
Subject: Palmetto Pointe v. Island Pointe (2019-001520) -- Appellants' Motion for Extension of Time to Petition for Rehearing
Date: Thursday, January 26, 2023 1:07:06 PM
Attachments: [image001.png](#)
[Palmetto Pointe v. Island Pointe \(2019-001520\) -- Appellants' Mot. for Ext. of Time to Pet. for Rehearing.pdf](#)

Attached please find **Appellants' Motion for Extension of Time to Petition for Rehearing** in the above-referenced matter.

Russell G. Hines
CLEMENT RIVERS, LLP
www.ycrlaw.com
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
Phone: (843) 720-5488
Fax: (843) 579-1327
Email: rhines@ycrlaw.com



CLEMENT RIVERS, LLP
25 Calhoun Street • Suite 400 • Charleston, SC 29401
ycrlaw.com