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Jan 27 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
G.D. Morgan, Jr., Circuit Court Judge

Appellate Case No. 2022-001301
Case No. 2021-CP-23-3048

Alliance to Preserve the Old White Horse Road Corridor, LLC
and Mary Jean Horney, Appellant,

v.

RP&L, LLC and the Greenville County Planning Commission, .. Respondents.

**MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT
GREENVILLE COUNTY PLANNING COMMISSION**

The Respondent Greenville County Planning Commission respectfully moves this Court for an additional five day extension of time until February 1, 2023, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Respondent Greenville County Planning Commission's motion is based on the following grounds:

1. The Respondent Greenville County Planning Commission's Initial Brief is currently due to be filed and served on January 27, 2023.
2. The undersigned counsel requires additional time to complete the Respondent Greenville County Planning Commission's Initial Brief due to family related medical issues as described in the attached email.
3. The undersigned has consulted with counsel for the Appellant who has consented to the requested extension by email (copy attached).

WHEREFORE, the Respondent Greenville County Planning Commission respectfully requests that it be allowed until February 1, 2023, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN LAW FIRM, P.A.

BY: s/ Andrew F. Lindemann
ANDREW F. LINDEMANN #13030
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
(803) 881-8920
Email: andrew@ldlawsc.com

*Counsel for Respondent
Greenville County Planning Commission*

January 27, 2023

From: [William M. Wilson III](#)
To: [Andrew Lindemann](#)
Cc: [Townes Johnson](#)
Subject: Re: Alliance to Preserve Old White Horse Road Appeal
Date: Friday, January 27, 2023 10:01:43 AM

Of course! I consent.

Sent from my iPhone

On Jan 27, 2023, at 9:31 AM, Andrew Lindemann <Andrew@ldlawsc.com> wrote:

Bill:

It was good meeting you this past Monday. I have a favor to ask. My initial brief is due to the Court of Appeals today. I'd like to ask the Court for a 5 day extension and would appreciate your consent. There was an outbreak of COVID in my wife's family yesterday, and as a result my wife is now in quarantine and one relative is in the hospital. That created some disruption for me as well yesterday which has put me behind in preparing the brief due today. I'd like to be able to have the weekend to get the brief written and then reviewed by the client. If you could consent to that 5 day extension, I'd greatly appreciate it.

Please advise as soon as possible so I can get a motion filed. Thanks

Andrew

Andrew F. Lindemann
Lindemann Law Firm, P.A.
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
Direct Dial: 803-881-8921
Email: andrew@ldlawsc.com

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Thank you.

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CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), the undersigned employee of Lindemann Law Firm, P.A., counsel for Respondent Greenville County Planning Commission, does hereby certify that service of the **Motion for Extension to File Initial Brief of Respondent Greenville County Planning Commission** in the above-captioned matter was made upon all counsel of record by email only this the 27th day of January 2023 as follows:

William M. Wilson, III, Esquire
Wyche Law Firm
Email: bwilson@wyche.com

William F. Childers, Jr., Esquire
Eller Tonnsen Bach
Email: wchilders@etblawfirm.com

Townes B. Johnson, III, Esquire
Townes B. Johnson III, LLC
Email: tjohnson@sc.legal

s/ Andrew F. Lindemann

LINDEMANN LAW FIRM

Telephone (803) 881-8920
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5 Calendar Court, Suite 202 (29206)
Post Office Box 6923
Columbia, South Carolina 29260

January 27, 2023

ANDREW F. LINDEMANN*
Direct Dial: (803) 881-8921
Email: andrew@ldlawsc.com

*Also Admitted in North Carolina

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Jan 27 2023

SC Court of Appeals

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

RE: Alliance to Preserve the Old White Horse Road Corridor, LLC and Mary Jean Horney v. RP&L, LLC and the Greenville County Planning Commission
Appellate Case Number: 2022-001301
Civil Action Number: 2021-CP-23-3048
Our File Number: 79.20626

Dear Ms. Kitchings:

Pursuant to Section (b)(2) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, please find enclosed for filing the **Motion for Extension to File Initial Brief of Respondent Greenville County Planning Commission** in the above referenced matter. In accordance with Section (d)(1) of this same Order, I am hereby serving copies on all counsel of record. I will mail the \$50.00 filing fee under separate cover.

If you have any questions, please advise.

Sincerely,

LINDEMANN LAW FIRM, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosure

cc: William M. Wilson, III, Esquire (*w/ Enclosure, Via Email Only*)
William F. Childers, Jr., Esquire (*w/ Enclosure, Via Email Only*)
Townes B. Johnson, III, Esquire (*w/ Enclosure, Via Email Only*)