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Feb 09 2023

SC Court of Appeals

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

Appeal from Charleston County
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2019-CP-10-01434
Appellate Case No. 2019-001910

David Abdo,

Appellant,

v.

City of Charleston and
Board of Zoning Appeals-Zoning,

Respondents.

**SECOND MOTION FOR EXTENSION OF TIME TO FILE/SERVE
RETURN TO PETITION FOR REHEARING**

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Attorneys for Respondents

NOW COME Respondents, City of Charleston and Board of Zoning Appeals-Zoning, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and hereby move for a second extension of ten (10) days' time to file/serve their return to Appellant's petition for rehearing.

Presently, by order of this Court filed January 31, 2023, the deadline for Respondents' return to Appellants' petition for rehearing is today, February 9, 2023. Because of work-related and other time commitments, the undersigned requests the Court's allowance of ten (10) days' additional time to file/serve Respondents' return to the petition for rehearing.

Respectfully, the undersigned submits that 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, Respondents request that the Court grant them a second extension of ten (10) days' time to file/serve their return to the petition for rehearing. By the undersigned's calculations, the granting of this relief would make the new deadline for Respondents' return to the petition for rehearing Tuesday, February 21, 2023¹. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Respondents request that the Court hold the present deadline for their return to the petition for rehearing in abeyance until the Court acts on this motion.

[signature on next page]

¹ Calculating the 10-day period (from today, February 9, 2023) in accordance with Rule 263(a), SCACR, it runs through Tuesday, February 21, 2023, because the 10th day is Sunday, February 19, 2023, and Monday, February 20, 2023, is a holiday, President's Day.

Respectfully submitted,

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Attorneys for Respondents

Charleston, South Carolina

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PROOF OF SERVICE

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Attorneys for Respondents

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents, hereby certify that the **SECOND MOTION FOR EXTENSION OF TIME TO FILE/SERVE RETURN TO PETITION FOR REHEARING** was served on February 9, 2023, on all parties to this matter via emailing (see attached) a copy of the same to the following:

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Attorneys for Appellant

Respectfully submitted,
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Charleston, South Carolina

February 9, 2023

From: [Hines, Russell](#)
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Subject: Abdo v. Charleston (2019-001910) -- Second Motion for Extension of Time to File/Serve Return to Petition for Rehearing
Date: Thursday, February 9, 2023 2:24:18 PM
Attachments: [image001.png](#)
[Abdo v. Charleston \(2019-001910\) -- 2d Motion for Ext. re Return to Petition for Rehearing.pdf](#)

Attached please find Respondents' **Second Motion for Extension of Time to File/Serve Return to Petition for Rehearing** in the above-referenced matter.

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