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**Feb 09 2023**  
**SC Court of Appeals**

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

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APPEAL FROM GREENVILLE COUNTY  
COURT OF COMMON PLEAS

The Hon. G.D. Morgan, Jr., Circuit Court Judge

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Appellate Case No. 2022-001301  
Commons Pleas Case No. 2021-CP-23-03048

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Alliance to Preserve the Old White Horse Road Corridor, LLC  
And Mary Jean Horney, ..... Appellants,

v.

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

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**MOTION FOR EXTENSION OF TIME TO FILE  
REPLY BRIEF OF APPELLANTS**

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William M. Wilson III (S.C. Bar No. 15808)  
Wyche, P.A.  
Post Office Box 728  
Greenville, S.C. 29602-0728  
(864) 242-8200

Attorneys for Appellants

The Appellant's motion is based on the following grounds:

1. The Appellants Reply Brief is currently due to be filed and served on February 13, 2023.
2. The undersigned counsel requires additional time to complete Appellants Reply Brief due to trial preparation in two other cases.
3. The undersigned has consulted with counsel for the Respondent who has consented to the requested extension by email (copy attached).

WHEREFORE, the Appellant respectfully requests that it be allowed until February 23, 2023, by which to file and serve its Reply Brief to be included in the Record on Appeal.

Respectfully submitted,

s/ William M. Wilson III

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William M. Wilson III (S.C. Bar No. 15808)  
Wyche, P.A.  
Post Office Box 728  
Greenville, S.C. 29602-0728  
(864) 242-8200

Date: February 9, 2023

*Attorneys for Appellants*

## Susan Minor

---

**From:** Townes Johnson <tjohnson@sc.legal>  
**Sent:** Wednesday, February 8, 2023 5:32 PM  
**To:** William M. Wilson III; 'Andrew Lindemann'  
**Cc:** Susan Minor  
**Subject:** RE: Alliance to Preserve Old White Horse Road Appeal

Sure thing. No problem here.

---

**From:** William M. Wilson III <bwilson@wyche.com>  
**Sent:** Wednesday, February 8, 2023 12:58 PM  
**To:** 'Andrew Lindemann' <Andrew@ldlawsc.com>; Townes Johnson <tjohnson@sc.legal>  
**Cc:** Susan Minor <sminor@wyche.com>  
**Subject:** RE: Alliance to Preserve Old White Horse Road Appeal

Andrew and Townes,

My reply brief is due Monday Feb. 13, and I would be grateful for a ten-day extension until Feb. 23. Is this acceptable?

Thank you for your consideration,

Bill



**William M. Wilson III | Wyche**

200 East Broad Street, Suite 400 | Greenville, SC 29601-2892

Phone: (864) 242-8294 | Fax: (864) 298-3941

[bwilson@wyche.com](mailto:bwilson@wyche.com) | [www.wyche.com/bwilson](http://www.wyche.com/bwilson) | [vCard](#)

A [Lex Mundi](#) Member Firm

---

**From:** Andrew Lindemann <[Andrew@ldlawsc.com](mailto:Andrew@ldlawsc.com)>  
**Sent:** Friday, January 27, 2023 9:31 AM  
**To:** William M. Wilson III <[bwilson@wyche.com](mailto:bwilson@wyche.com)>  
**Cc:** Townes Johnson <[tjohnson@sc.legal](mailto:tjohnson@sc.legal)>  
**Subject:** Alliance to Preserve Old White Horse Road Appeal  
**Importance:** High

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](mailto:andrew@ldlawsc.com)

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(iv) notify the sender by return e-mail or call.  
No privilege is waived by inadvertent transmission.  
Thank you.  
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## Susan Minor

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**From:** Andrew Lindemann <Andrew@ldlawsc.com>  
**Sent:** Wednesday, February 8, 2023 1:53 PM  
**To:** William M. Wilson III; Townes Johnson  
**Cc:** Susan Minor  
**Subject:** RE: Alliance to Preserve Old White Horse Road Appeal

Bill, you have my consent from the Planning Commission. -- Andrew

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**From:** William M. Wilson III <bwilson@wyche.com>  
**Sent:** Wednesday, February 8, 2023 12:58 PM  
**To:** Andrew Lindemann <Andrew@ldlawsc.com>; Townes Johnson <tjohnson@sc.legal>  
**Cc:** Susan Minor <sminor@wyche.com>  
**Subject:** RE: Alliance to Preserve Old White Horse Road Appeal

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Andrew F. Lindemann  
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5 Calendar Court, Suite 202  
Post Office Box 6923  
Columbia, South Carolina 29260  
Direct Dial: 803-881-8921  
Email: [andrew@ldlawsc.com](mailto:andrew@ldlawsc.com)

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(iii) do not use, copy or distribute the contents in any form  
(iv) notify the sender by return e-mail or call.  
No privilege is waived by inadvertent transmission.  
Thank you.  
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Alliance to Preserve the Old White Horse Road Corridor, LLC  
And Mary Jean Horney, ..... Appellants,

v.

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

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**PROOF OF SERVICE**

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I, the undersigned Legal Assistant/Paralegal of the law offices of Wyche, P.A., attorneys for Alliance to Preserve the Old White Horse Road Corridor, LLC and Mary Jean Horney in the within action, do hereby certify that I have this date served upon opposing counsel and/or parties in this action the foregoing **MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF OF APPELLANTS** by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System.

Parties Served:

Townes B. Johnson III  
Townes B. Johnson III, LLC  
P.O. Box 9246  
Greenville, South Carolina 29604  
[tjohnson@sc.legal](mailto:tjohnson@sc.legal)

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Devlin & Antley, P.A.  
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Greenville, South Carolina 29603-0387  
[john.devlin@devlawsc.com](mailto:john.devlin@devlawsc.com)

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Greenville County Attorney's Office  
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Greenville, South Carolina 29601  
[cantley@greenvillecounty.org](mailto:cantley@greenvillecounty.org)



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Susan M. Minor  
Legal Assistant/Paralegal

Greenville, South Carolina  
February 9, 2023

W Y C H E

Attorneys at Law

RECEIVED

Feb 09 2023

SC Court of Appeals

February 9, 2023

*via email only*

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201  
Email: [ctappfilings@sccourts.org](mailto: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 No. 2022-001301

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 Reply Brief of Appellants** 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. The \$50.00 filing fee is being sent under separate cover.

With highest regards,



William M. Wilson III  
(864) 242-8294  
[bwilson@wyche.com](mailto:bwilson@wyche.com)

cc: Townes B. Johnson, III  
William F. Childers, Jr.  
Christopher R. Antley  
John Devlin  
Andrew Lindemann

W Y C H E  
PROFESSIONAL ASSOCIATION

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