

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

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Case No. 2018-CP-07-00911  
Appellant Case No. 2022-000016

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Richard W. and Rebecca A. Dreier; Yolanda J. Dreier; Jacob R. and Carla Emerson; John B. and Lori Anne Gecy; Aaron M. and Stasha R. Grooms; AvaRae Hall; Michael B. and Cheyenne M. Johnson; Kenny Manuel Lopez and Kelsey Trudel Lopez; Dylan C. and Samantha Dawn Machado; Marvin K. and Maryalice Mamaril; Thomas R. and Melissa S. McFeely; Michael and Karen M. Rodriguez; Sarmed and Jessica M. Shafi; James J. Smith, III and Alayshia Smith and Nichole J. Verstegen; Plaintiffs,

v.

Advanced Flooring & Design Division of ISI, LLC f/k/a Advanced Flooring and Design, LLC; Americo Roofing Concepts, Inc.; Archer Exteriors, Inc.; Armor Building Solutions, LLC; Builders FirstSource-Southeast Group, LLC; Crossroads Enterprises, LLC; D.R. Horton, Inc.; Dean Custom Air, LLC; East Coast Construction Cleanup Corp. f/k/a S.C. Cleanup Co., Inc.; Freedom Homes, Inc. f/k/a Armor Building Solutions, Inc.; Hutton’s Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; Masco Cabinetry, LLC; ProBuild East, LLC; Professional Drywall & Paint Services, LLC; Professional Exteriors, II, LLC; Quality Electric of the Coastal Carolinas Incorporated; Superior Association Services, LLC; and Valim Construction, LLC, Defendants,

Of Whom Sarmed and Jessica M. Shafi, Lather Construction, Inc., Lather Construction SC, Inc., Hutton’s Landscapes, Inc., and East Coast Construction Cleanup Corp. f/k/a S.C. Cleanup Co., Inc. are the Respondents,

And

D.R. Horton, Inc. is the Appellant.

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MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF  
AND RECORD ON APPEAL

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The Appellant D. R. Horton, by and through its undersigned counsel, hereby moves the Court of Appeals for twenty (20) days of additional time within which to serve and file its Reply Brief and the Record on Appeal. The reason for this request is that the undersigned counsel was taken by ambulance late yesterday and is currently hospitalized. Neither he nor his client has previously requested an extension of time for this Reply Brief or The Record on Appeal. He has given prior notice of this request to other counsel of record in the appeal.

March 15, 2023

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Mar 15 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
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Case No. 2018-CP-07-00911  
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v.

Advanced Flooring & Design Division of ISI, LLC f/k/a Advanced Flooring and Design, LLC; Americo Roofing Concepts, Inc.; Archer Exteriors, Inc.; Armor Building Solutions, LLC; Builders FirstSource-Southeast Group, LLC; Crossroads Enterprises, LLC; D.R. Horton, Inc.; Dean Custom Air, LLC; East Coast Construction Cleanup Corp. f/k/a S.C. Cleanup Co., Inc.; Freedom Homes, Inc. f/k/a Armor Building Solutions, Inc.; Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; Masco Cabinetry, LLC; ProBuild East, LLC; Professional Drywall & Paint Services, LLC; Professional Exteriors, II, LLC; Quality Electric of the Coastal Carolinas Incorporated; Superior Association Services, LLC; and Valim Construction, LLC, Defendants,

Of Whom Sarmed and Jessica M. Shafi, Lather Construction, Inc., Lather Construction SC, Inc., Hutton's Landscapes, Inc., and East Coast Construction Cleanup Corp. f/k/a S.C. Cleanup Co., Inc. are the Respondents,

And

D.R. Horton, Inc. is the Appellant.

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CERTIFICATE OF SERVICE

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I the undersigned counsel for the Appellant D. R. Horton, hereby certify that on March 15, 2023, a copy of the Motion For Extension Of Time To File Reply Brief and the Record on Appeal were served by email on counsel for all Respondents as follows and filed via electronic mail and first class mail of the United States Postal Service with the Clerk of the South Carolina Court of Appeals.

March 15, 2023

Respectfully,

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**Appellant Case No: 2022-000016 / Case No. 2018-CP-07-00911**

1 message

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**Kay Kelly** <kay@carlmullerlaw.com>

Wed, Mar 15, 2023 at 11:43 AM

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Cc: John Crawford <crawford@conlaw.com>

Dear Counsel,

Please see the attached letter to the Court of Appeals that we are sending today after notification to all of you concerning the Motion For Extension of Time to File Reply Brief and Record on Appeal.

If you have any questions please let us know.

Thank you,  
Kay Kelly

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**3 attachments**

 **Letter to Court of Appeals 03152023.pdf**  
31K

 **Certificate of Service 03152023pdf.pdf**  
865K

 **Motion for Extension 03152023.pdf**  
923K

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Mar 15 2023

SC Court of Appeals

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Jenny Abbott Kitchings  
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Re: Motion For Extension of Time in Reply Brief  
Case No: 2018-CP-07-00911  
Appellant Case No: 2022-000016

Dear Ms. Kitchings:

Please find enclosed the Motion for Extension of Time to File the Reply Brief and Record on Appeal in the above case. Per my phone conversation this morning with Jacklyn in your office I am emailing a copy to (ctappfilings@sccourts.org) of the Motion and was told to mail the original and submit with a check for the \$50.00 filing fee. Also enclosed please find the Certificate of Service including the email to the other counsel of record in the above case.

Please let us know if you have any questions in this matter. Thank you for your time.

Very truly yours,



D. Kay Kelly  
Assistant to Carl F. Muller

/dkk

Enclosures

Cc: Tyler Ethan Cloud, Esquire.  
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