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Mar 20 2023

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Appellate Case No. 2022-000973

Teresa Melhado and Dane Neller.....Appellants,

v.

City of Charleston, City of Charleston Board of Zoning Appeals, George Wallace,
Erika Wallace, and Erika R. Wallace, Trustee of the Erika R. Hayes Revocable
Trust u/a/d 8-4-2016Respondents.

**MOTION FOR THIRD EXTENSION OF TIME TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER OF RESPONDENTS GEORGE WALLACE, ERIKA
WALLACE, AND ERIKA R. WALLACE, TRUSTEE OF THE ERIKA R. HAYES
REVOCABLE TRUST U/A/D 8-4-2016**

Pursuant to Rules 240 and 263(b), SCACR, Respondents George Wallace, Erika Wallace,
and Erika R. Wallace, Trustee of the Erika R. Hayes Revocable Trust u/a/d 8-4-2016 (the
“Respondents”) by and through their undersigned counsel, hereby move the Court for an order
granting Respondents Wallace a twenty-eight (28) day extension of time, until April 21, 2023, in
which to file and serve Respondents Wallace’s Initial Brief and Designation of Matter. The
deadline for filing Respondents Wallace’s Initial Brief and Designation of Matter is currently
March 24, 2023.

This Motion is made for good cause, in good faith, and not for the purposes of delay. The
basis for the request is that the undersigned’s father passed away on March 16, 2023. Counsel’s

working hours have been diminished in the weeks preceding his death and will be in the coming weeks as funeral arrangements are made.

The undersigned has consulted with counsel for the parties to this appeal who have graciously consented to this extension.

WHEREFORE, Respondents request this Court issue an order extending the Respondents' initial brief and designation of matter deadlines until April 21, 2023.

Respectfully Submitted,

WALKER GRESSETTE & LINTON, LLC

/s/ Jennifer S. Ivey

G. Trenholm Walker (SC Bar #5777)

Jennifer S. Ivey (SC Bar #102533)

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ATTORNEYS FOR RESPONDENTS GEORGE M.
WALLACE, ERIKA WALLACE, AND ERIKA R.
WALLACE, AS THE TRUSTEE OF THE ERIKA R.
HAYES REVOCABLE TRUST U/A/D 8-4-2016

March 20, 2023
Charleston, South Carolina

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Case No. 2021-CP-10-0555

Teresa Melhado and Dane Neller.....Appellants,

v.

City of Charleston, City of Charleston Board of Zoning Appeals, George Wallace,
Erika Wallace, and Erika R. Wallace, Trustee of the Erika R. Hayes Revocable
Trust u/a/d 8-4-2016.....Respondents.

PROOF OF SERVICE

I certify that the foregoing **Motion for Third Extension of Time to File Initial Brief and Designation of Matter of Respondents George Wallace, Erika Wallace, and Erika R. Wallace, Trustee of the Erika R. Hayes Revocable Trust U/A/D 8-4-2016** was served on the following counsel of record by electronic mail on this 20th day of March, 2023.

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March 20, 2023

ELECTRONIC MAIL and U.S MAIL

The Honorable Jenny Abbott Kitchings
Clerk of the Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings.sccourts@sccourts.org

Re: Teresa Melhado and Dane Neller v. City of Charleston, et al.
Appellate Case No. 2022-000973
WGFL File 8329.001

Dear Ms. Kitchings:

This firm represents the Respondents George Wallace, Erika Wallace, and Erika R. Hayes' Revocable Trust u/a/d 8-4-2016, in the above referenced appeal. Respondents' initial brief and designation of matter are currently due on March 24, 2023.

I am writing to request a third extension of twenty-eight (28) days for the service and filing of Respondents' initial brief and designation of matter. With the extension, the new deadline would be Friday, April 21, 2023. The motion filing fee of \$50 is enclosed and the Motion and Proof of Service are simultaneously being electronically filed. Opposing counsel have consented to this request. Your courtesies and consideration of this matter are greatly appreciated.

Sincerely yours,

WALKER GRESSETTE & LINTON, LLC

/s/ Jennifer S. Ivey

Jennifer S. Ivey

Attachment: Motion and Proof of Service

Enclosure: Filing Fee

cc: Brian A. Hellman, Esq.
Jonathan L. Yates, Esq.
Jason S. Smith, Esq.
Timothy Alan Domin, Esq.

G. Trenholm Walker
Thomas P. Gressette, Jr.
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