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Apr 19 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

Case No. 2022-CP-26-01323

HSS BAREFOOT, LLC d/b/a CENTURY 21 BAREFOOT,
R&G CORP d/b/a CENTURY 21 THE HARRELSON GROUP,
KEVIN MILLS, MILLS, LLC, and GREG HARRELSON,Respondents,
JOEL D. BARBER,Appellant.

**APPELLANT’S SECOND MOTION FOR EXTENSION OF TIME TO FILE INITIAL
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Pursuant to Rules 240 and 263, SCACR, the Appellant Joel D. Barber (“Appellant”), through counsel, hereby moves for a thirty (30) day extension of time to serve and file his Initial Brief and Designation of Matter to be included in the Record on Appeal (“Designation of Matter”), through and including May 31, 2023.

Appellant’s Initial Brief and Designation of Matter are currently due on May 1, 2023, and therefore the original time to act has not yet expired. This is Appellant’s second request for an extension of time.

The grounds for this motion are that the undersigned still needs additional time to confer with his client regarding the Initial Brief and Designation of Matter. The undersigned also has other obligations and commitments in both the underlying matter pending before the trial court

below and in other matters which create a need for additional time to prepare the Initial Brief and Designation of Matter. Furthermore, an extension of time for thirty (30) days will not result in any undue prejudice to Respondents, and will not unduly delay the matter, especially in light of the speed with which the transcripts on appeal were prepared and produced.

Finally, counsel for Respondents has stated via email exchange with the undersigned that Respondents consent to this motion.

WHEREFORE, based on the foregoing, and for good cause shown, Appellant respectfully requests a thirty (30) day extension of time to serve and file his Initial Brief and Designation of Matter, through and including May 31, 2023, and such other relief as justice requires.

This the 19th day of April, 2023.

/s/ Christian H. Staples

Christian H. Staples

SC Bar No. 101470

Abigail Y. Bechtol

SC Bar No. 102414

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Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing **APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME TO SERVE AND FILE HIS INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** was served on all counsel of record via email addressed as follows:

Amanda A. Bailey
Taylor K. Voegel
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P.O. Box 336
Myrtle Beach, SC 29578-0336
abailey@burr.com
tvoegel@burr.com
Attorneys for Respondents

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This the 19th day of April, 2023.

/s/ Christian H. Staples

Christian H. Staples
SC Bar No. 101470
SHUMAKER, LOOP & KENDRICK, LLP
Attorneys for Appellant

Christian H. Staples
(704) 945-2183 (Direct)
cstaples@shumaker.com

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SC Court of Appeals

Via Federal Express

The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *HSS Barefoot, LLC, et al. v. Joel D. Barber, et al.*
Horry County Circuit Court Case No.: 2022CP2601323
Appellate Case No.: 2023-192

Dear Ms. Kitchings:

Enclosed for filing in connection with the above-referenced matter, please find a check for \$50.00 for the filing fee associated with *Appellant's Second Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record on Appeal*, which motion was submitted for electronic filing on the above date.

If you require anything further at this time, please let me know. Thank you for your time and attention to this matter.

Sincerely,



Christian Staples

Enclosure

cc: Amanda Bailey, Esq. (via email only to ABailey@burr.com)
Taylor K. Voegel (via email only to TVoegel@burr.com)