

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
J. C. Nicholson, Jr., Circuit Court Judge

Appellate Case No.: 2012-213635

68928
RECEIVED
JUL 01 2013
SC Court of Appeals

MARY MELINDA BALLARD..... Respondent

v.

CITY OF CHARLESTON BOARD OF ARCHITECTURAL REVIEW and THE CITY OF
CHARLESTON Appellants

APPELLANTS' MOTION TO EXTEND
TIME TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER


The Appellants request a 90 day extension to file their Initial Brief and Designation of Matter on the grounds that the parties were discussing possible means of resolving the matter when Ms. Ballard died on June 2, 2013. An Estate will have to be opened and a personal representative appointed. Once a personal representative can be appointed, the parties are hopeful that some resolution can be negotiated.

As this is an appeal from a matter involving the City of Charleston Board of Architectural Review, it is likely the negotiations will be additionally delayed because City staff and the Board will have to be informed of the potential settlement and may have to formally approve/adopt the settlement in compliance with the public notice and meeting requirements of the Freedom of Information Act. Brief and Designation would be due October 3, 2013, with the extension. Opposing counsel has stated she has no objection

to this request for an extension.

CLAWSON AND STAUBES, LLC

BY:



Timothy A. Domin
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492-8144
(843) 577-2026

Attorney for the Appellants

Charleston, South Carolina

June 28, 2013

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CERTIFICATE OF SERVICE

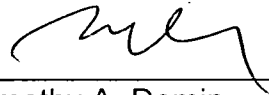
I certify that I have served the Appellants' Motion For Extension of Time to File Initial Brief and Designation of Matter on all counsel by depositing a copy of it in the United States Mail, postage prepaid, on June 28, 2013, addressed to all attorneys of record as follows:

Alice F. Paylor, Esquire
Elizabeth J. Palmer, Esquire
Rosen, Rosen & Hagood, LLC
P. O. Box 893
134 Meeting Street, Suite 200
Charleston, SC 29402

Attorneys for Respondent

CLAWSON AND STAUBES, LLC

BY:



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(843) 577-2026

Attorney for the Appellants

Charleston, South Carolina

June 28, 2013

**CLAWSON
AND STAUBES
LLC**

Timothy A. Domin
tdomin@clawsonandstaubes.com

June 28, 2013

Reply to Charleston Office
File No.: 2011-0030 tad

VIA U. S. MAIL

Jenny A. Kitchings, Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: Mary Melinda Ballard v. City of Charleston
Case Nos.: 2012-CP-10-3980
2012-CP-10-2756

Dear Ms. Kitchings:

I would respectfully request a 90 day extension of time be granted to the Appellants', City of Charleston Board of Architectural Review and The City of Charleston, to file its Initial Brief and Designation of Matter regarding the above-referenced case. Enclosed is a check for \$25.00 for filing fees. Opposing counsel told me verbally that she consents to the extension.

Thank you for your assistance in this matter.

With kindest regards, I remain

Very truly yours,

CLAWSON AND STAUBES, LLC



Timothy A. Domin

TAD/paa
Enclosure

cc: Alice F. Paylor, Esquire
Elizabeth J. Palmer, Esquire
(Via e-mail)

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SC Court of Appeals

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