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May 31 2023

SC Court of Appeals

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

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-00955

Appellate Case No. 2023-000807

Unpublished Opinion No. 2023-UP-014 (S.C. Ct. App. filed Jan. 11, 2023)

Palmetto Pointe at Peas Island Condominium Property Owners
Association, Inc. and Jack Love, individually, and on behalf of
all others similarly situated,

Petitioners,

v.

Island Pointe, LLC, Complete Building Corporation, Tri-
County Roofing, Inc., WC Services, Inc., Miracle Siding, LLC
and Wilson Lucas Sales d/b/a Miracle Siding, LLC, Eloy
Alonzo Vasquez, JMC Construction, Inc., and JMC
Construction, LLC,

Defendants,

Of which WC Services, Inc. is the

Respondent.

**SECOND MOTION FOR EXTENSION OF TIME TO SERVE/FILE
PETITION FOR WRIT OF CERTIORARI**

Justin O. Lucey (SC Bar No. 15438)
Joshua F. Evans (SC Bar No. 77448)
Sohayla R. Townes (SC Bar No. 102814)
Stephanie D. Drawdy (SC Bar No. 70205)
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, South Carolina 29464
P.O. Box 806 (29465)
(843) 849-8400

Attorneys for Petitioners

Edward D. Buckley, Jr. (SC Bar No. 994)
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
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Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 724-5446
Attorneys for Petitioners

NOW COMES Petitioners, Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love, individually and on behalf of all others similarly situated, by and through their undersigned counsel, on the grounds stated below, pursuant to Rule 263(b), SCACR, as well as the Court's order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, and hereby move for a second extension of ten (10) days' time to file/serve their petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

Presently, by order of this Court filed May 19, 2023, the current deadline to file/serve a petition for writ of certiorari June 1, 2023. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioners request ten (10) additional days to prepare Petitioners' petition seeking this Court's review of the Court of Appeals' decision via writ of certiorari, and the undersigned submits there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Petitioners respectfully request this Honorable Court grant them a second extension of ten (10) days' time to file/serve their petition for writ of

certiorari. With the extension requested herein, the new deadline for filing/serving the petition for writ of certiorari would be June 12, 2023, according to the undersigned's calculations. Further, Petitioners respectfully request the Court hold this present deadline in abeyance until it acts upon this motion.

Respectfully submitted,

By: s/Russell G. Hines

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Sohayla R. Townes (SC Bar No. 102814)

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and

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Charleston, South Carolina

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PROOF OF SERVICE

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Attorneys for Petitioners

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that Petitioners' **SECOND MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on all other parties to this appeal on May 31, 2023, via email (see attached) to their following counsel of record:

James A. Atkins, Esquire
CLAWSON & STAUBES, LLC
jatkins@clawsonandstaubes.com

*Attorneys for Respondent
WC Services, Inc.*

Respectfully submitted,

By: s/Russell G. Hines
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May 31, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Wednesday, May 31, 2023 1:53 PM
To: 'jatkins@clawsonandstaubes.com'
Cc: Jean-Charles, Alice; 'jzambriczki@lucey-law.com'; 'lweiland@lucey-law.com'; 'sdrawdy@aol.com'; 'sohayla.townes@gmail.com'; Buckley, Edward D. (Ed); 'jlucey@lucey-law.com'; 'jevans@lucey-law.com'; 'sdrawdy@lucey-law.com'; 'stownes@lucey-law.com'; Justman, Aimee; Hines, Russell
Subject: Palmetto Pointe v. Island Pointe // Sup. Ct. Case No. 2023-000807 ;Ct. App. Case No. 2019-001520
Attachments: 2nd Motion for extension - petition for writ of certiorari.pdf

Enclosed please find Petitioners' Second Motion for Extension of Time to Serve/File Petition for Writ of Certiorari for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369



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