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Jun 09 2023

SC Court of Appeals

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

Appeal from Charleston County
Court of Common Pleas
Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2018-CP-10-00851

Court of Appeals Case No. 2019-000728
Opinion No. 5965 (S.C. Ct. App. filed February 1, 2023)

National Trust for Historic Preservation in the United States and
the City of Charleston,

Petitioners,

v.

City of North Charleston,

Respondents.

MOTION TO EXTEND THE TIME TO PETITION FOR A WRIT OF CERTIORARI

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NOW COMES Petitioner City of Charleston, one of the Respondents/Appellants in the Court of Appeals, by and through its undersigned counsel, expressly joined by and with the consent of Petitioner National Trust for Historic Preservation in the United States, the other Respondent/Appellant in the Court of Appeals (collectively, “Petitioners”), pursuant to Rule 263(b), SCACR, and this 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 moves for an extension of ten (10) days’ time for Petitioners to file/serve petitions to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

The Court of Appeals decided this matter by opinion filed February 1, 2023, and thereafter denied Petitioners’ timely petitions for rehearing by orders filed May 11, 2023, making the deadline for Petitioners to file/serve petitions to this Court for a writ of certiorari Monday, June 12, 2023, pursuant to Rule 242(c), SCACR. Due to other time commitments, both work- and non-work-related, the undersigned counsel request ten (10) additional days, beyond June 12, 2023, to prepare petitions seeking this Court’s review of the Court of Appeals’ decision via writ of certiorari, and they submit that there is good cause to allow the requested dispensation, as 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 that this Honorable Court grant them an extension of ten (10) days’ time to file/serve petitions for a writ of certiorari. With the extension requested herein, the new deadline for filing/serving petitions for a writ of certiorari would be Thursday, June 22, 2023, according to Petitioners’ calculations. ADDITIONALLY, for the same

reasons set forth in support of the within request for an extension of time, Petitioners respectfully request that the Court hold the present deadline in abeyance until it acts upon this motion.

Respectfully submitted,

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June 9, 2023

I JOIN AND CONSENT:

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PROOF OF SERVICE

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Attorneys for the City of Charleston

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for the City of Charleston, hereby certify that the **MOTION TO EXTEND THE TIME TO PETITION FOR A WRIT OF CERTIORARI** was served on June 9, 2023, on all parties to this matter via emailing (see attached) a copy of the same to the following:

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I also certify that the **MOTION TO EXTEND THE TIME TO PETITION FOR A WRIT OF CERTIORARI** and **PROOF OF SERVICE** were filed with the South Carolina Court of Appeals on June 9, 2023, via email to ctappfilings@sccourts.org.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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Charleston, South Carolina

June 9, 2023

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Subject: National Trust for Historic Preservation v. City of North Charleston (Ct. App. Case No. 2019-000728; Sup. Ct. Case No. TBD) -- Motion for Extension of Time to Petition for a Writ of Certiorari
Date: Friday, June 9, 2023 6:25:25 PM
Attachments: [image001.png](#)
[Nat'l Trust v. N. Chas. -- Mot. for Ext. re Cert Pet.pdf](#)

Attached for service in the above-referenced matter please find our **Motion for Extension of Time to Petition for a Writ of Certiorari**.

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