

RECEIVED

Jun 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Charleston County
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2019-CP-10-01434
Appellate Case No. 2023-000770
Unpublished Opinion No. 2023-UP-005 (S.C. Ct. App., filed Jan. 4, 2023)

David Abdo,

Petitioner,

v.

City of Charleston and Board of Zoning Appeals-Zoning,

Respondents.

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

CLEMENT RIVERS, LLP
Wilbur E. Johnson (SC Bar No. 3062)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
wjohnson@ycrlaw.com
rhines@ycrlaw.com
(843) 720-5488

and

Julia P. Copeland (SC Bar No. 77199)
CITY OF CHARLESTON
Legal Department
50 Broad Street
Charleston, South Carolina 29401
copelandj@charleston-sc.gov
(843)-724-3730

Attorneys for Respondents

NOW COME Respondents, City of Charleston and Board of Zoning Appeals-Zoning, 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 an extension of ten (10) days' time to file/serve their return to petition for writ of certiorari.

Presently, pursuant to Rule 242(f), SCACR, the deadline for the return to petition for writ of certiorari is June 12, 2023. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Respondents request ten (10) additional days, beyond today's date, to prepare their return to the petition for 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, Respondents respectfully request this Honorable Court grant them an extension of ten (10) days' time to file/serve their return to petition for writ of certiorari. With the extension requested herein, the new deadline for filing/serving their return to petition for writ of certiorari would be June 22, 2023, according to the undersigned's calculations. Further, Respondents respectfully request the Court hold this present deadline in abeyance until it acts upon this motion.

[signature on next page]

[Signature page for Motion for Extension of Time to File/Serve Return to Petition for Writ of Certiorari, Appellate Case No. 2023-000770]

Respectfully submitted,

By: s/Russell G. Hines
CLEMENT RIVERS, LLP
Wilbur E. Johnson (SC Bar No. 3062)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
wjohnson@ycrlaw.com
rhines@ycrlaw.com
(843) 720-5488

and

Julia P. Copeland (SC Bar No. 77199)
CITY OF CHARLESTON
Legal Department
50 Broad Street
Charleston, South Carolina 29401
copelandj@charleston-sc.gov
(843)-724-3730

Attorneys for Respondents

Charleston, South Carolina

June 12, 2023

RECEIVED

Jun 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Charleston County
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2019-CP-10-01434
Appellate Case No. 2023-000770
Unpublished Opinion No. 2023-UP-005 (S.C. Ct. App., filed Jan. 4, 2023)

David Abdo,

Petitioner,

v.

City of Charleston and Board of Zoning Appeals-Zoning,

Respondents.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
Wilbur E. Johnson (SC Bar No. 3062)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
wjohnson@ycrlaw.com
rhines@ycrlaw.com
(843) 720-5488

and

Julia P. Copeland (SC Bar No. 77199)
CITY OF CHARLESTON
Legal Department
50 Broad Street
Charleston, South Carolina 29401
copelandj@charleston-sc.gov
(843)-724-3730

Attorneys for Respondents

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents, hereby certify that the **MOTION FOR EXTENSION OF TIME TO FILE/SERVE RETURN TO PETITION FOR WRIT OF CERTIORARI** was served on June 12, 2023, on all parties to this matter via emailing (see attached) a copy of the same to the following:

Julia P. Copeland, Esquire
copelandj@charleston-sc.gov

City of Charleston
Legal Department
50 Broad Street
Charleston, SC 29401

Additional Counsel for Respondents

John A. Massalon, Esquire
jmassalon@wmalawfirm.net

Wills Massalon & Allen LLC
P.O. Box 859
Charleston, SC 29402

Attorneys for Appellant

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)

Attorneys for Respondents

Charleston, South Carolina

June 12, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Monday, June 12, 2023 1:34 PM
To: 'copelandj@charleston-sc.gov'; 'jmassalon@wmalawfirm.net';
'csteichen@wmalawfirm.net'
Cc: Hines, Russell; Justman, Aimee
Subject: Abdo v. City of Charleston (Sup. Ct. Case No. 2023-000770 ; Ct. App. Case No. 2019-001910) - CR 210598
Attachments: Abdo Motion for Extension.pdf

Enclosed please find Respondents' Motion for Extension of Time to File/Serve Return to Petition for Writ of Certiorari which will be filed today in the above-referenced matter.

Thank you,

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



CLEMENT RIVERS, LLP
25 Calhoun Street • Suite 500 • Charleston, SC 29401
FOR COUNSEL