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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Clifton Newman,
Circuit Court Judge

Case No. 2017-CP-10-03099

Elizabeth Heatley, Neil B. McCann, Jr., David Neil Monk, Thomas V. Bessent, and
Mariner’s Cay Marina Council of Co-Owners, Inc.....Respondents,

vs.

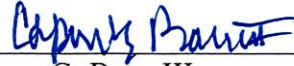
Mariner’s Cay Marina Condo, LLC, Mariner’s Cay Fuel Dock, LLC, George A. Farmer,
Jr., and South Atlantic Bank, Defendants

Of which Mariner’s Cay Marina Condo, LLC, Mariner’s Cay Fuel Dock, LLC and George
A. Farmer, Jr., are the Appellants.

**RESPONDENTS’ MOTION FOR AN EXTENSION OF TIME TO FILE INITIAL
BRIEF AND DESIGNATION OF MATTER**

The Respondents, by and through their undersigned counsel, hereby move the Court for a thirty (30) day extension within which to file their Initial Brief and Designation of Matters to be included in the Record of Appeal due to conflict in counsel’s schedule. Appellant’s Brief, to which Respondents are now preparing a response, was received by the undersigned on May 16, 2023, a date on and after which he was preparing for a jury trial, which was heard May 22-May 24; and the undersigned thereafter honored a long-standing commitment to vacation with his family over an extended Memorial Day weekend.

Counsel requests that all timelines be held in abeyance while the Court considers this request.



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Attorney for Respondents

Charleston, South Carolina
June 8, 2023

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Of which Mariner’s Cay Marina Condo, LLC, Mariner’s Cay Fuel Dock, LLC and George
A. Farmer, Jr., are the Appellants.

PROOF OF SERVICE

I certify that I have served the Respondents’ Initial Brief and Designation of Matter by depositing a copy of the same Via Email Hamlin.okelley@buistbyars.com and kmims@lmlawllp.com and wperrin@lmlawllp.com, and Via U.S. regular mail, postage paid, addressed to G. Hamlin O’Kelley, III, Esq., Buist Byars & Taylor, LLC 652 Coleman Blvd., Suite 200, Mt. Pleasant, SC 29464 and Kevin M. Mims, Esq., 50 Immigration Street, Suite 200, Charleston, SC 29403 and Whidbee S. Perrin, Esq. 50 Immigration Street, Suite 200, Charleston, SC 29403

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June 8, 2023

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SC Court of Appeals

VIA E-MAIL and FIRST CLASS MAIL

ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

RE: Elizabeth Heatley v. Mariners Cay Marina Condo, LLC et al.,
C/A No.: 2017-CP-10-3099 / Appellate Case No.: 2022-001479
Our File Number: 2017-1152.01

Dear Ms. Kitchings:

Enclosed please find the following items in the above-referenced matter:

1. An original and seven (7) copies of the Appellants' Motion for an Extension of Time to File Initial Brief and Designation of Matter;
2. Proof of Service; and
3. Our firm's check in the amount of \$50.00 for the filing fee.

Please file the original and return the filed-stamped copies to me in the enclosed envelope. By copy of this letter, I am serving same upon all counsel.

Should you have any questions, please feel free to contact me. With kindest regards,

Sincerely yours,



Capers G. Barr, III

CGBIII/jth

Enclosure (as stated)

cc: G. Hamlin O'Kelley, III
David C. Cleveland, Esq. (DCleveland@clawsonandstaubes.com)
Kevin W. Mims, Esq. (KMims@lmlawllp.com)
Whidbee S. Perrin, Esq. (wperrin@lmlawllp.com)
Adam Friend and Board Members