

**RECEIVED**

**Aug 07 2023**

**SC Court of Appeals**

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

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Appeal from Charleston County  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

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Case No. 2016-CP-10-01833  
Appellate Case No. 2021-001055

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Andrew and Kimberly McIntire,

Appellants,

v.

Seaquest Development Company, Inc.; Red Bay Constructors Corp.;  
Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction;  
Coastal Window & Door Center of Charleston, LLC; Carolina Window &  
Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC;  
Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets;  
Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.;  
Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a  
Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions,  
Inc.; and New South Construction Supply, LLC,

Defendants.

and

Seaquest Development Company, Inc.,

Third-Party Plaintiff/Appellant,

v.

Architectural Products of Charleston, LLC, and  
Sealtight of South Carolina, LLC,

Third-Party Defendants,

Of which Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.;  
Jonathan Marshall Construction; Coastal Window & Door Center of Charleston,  
LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-  
Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a

Casteen Custom Cabinets; Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; New South Construction Supply, LLC; Architectural Products of Charleston, LLC; and Sealtight of South Carolina, LLC, are

Respondents.

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**PETITIONER'S MOTION FOR EXTENSION OF TIME  
TO FILE/SERVE REPLY  
TO RESPONDENTS' RETURN  
TO PETITION FOR REHEARING**

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*Attorneys for Appellant  
Sequest Development Company, Inc.*

NOW COMES Appellant Seaquest Development Company, Inc. (“Seaquest”), by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, on the grounds set forth below, and hereby requests an extension of five (5) days’ time to file/serve any reply to Respondents’ return to Seaquest’s petition for rehearing.

Respondents’ served their return to Seaquest’s petition for rehearing on July 31, 2023, making the deadline for any reply by Seaquest today, Monday, August 7, 2023, pursuant to Rule 240(f), SCACR (“The moving party shall have five (5) days from the date of service of a return to file an original and six (6) copies of a reply with the clerk and serve on all parties a copy of the reply.”).

Because of work-related and other time commitments, Seaquest’s undersigned counsel respectfully requests that Seaquest’s deadline to file/serve any reply to Respondent’s return to Seaquest’s petition for rehearing be extended by 5 days. Respectfully, Seaquest believes this relief is consistent with the interests of justice and will not cause any undue prejudice to Respondents.

WHEREFORE, Seaquest moves this Honorable Court to grant it an extension of 5 days’ time to file/serve any reply to Respondents’ return to Seaquest’s petition for rehearing. With the requested extension, the new deadline would be Monday, August 14, 2023, by the undersigned’s calculations. Further,

Seaquest respectfully requests that the present deadline be held in abeyance until the Court acts upon the instant motion.

Respectfully submitted,  
CLEMENT RIVERS, LLP

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Charleston, South Carolina

August 7, 2023

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Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets;  
Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.;  
Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a  
Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions,  
Inc.; and New South Construction Supply, LLC,

Defendants.

and

Sequest Development Company, Inc.,

Third-Party Plaintiff/Appellant,

v.

Architectural Products of Charleston, LLC, and  
Sealtight of South Carolina, LLC,

Third-Party Defendants,

Of which Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.;  
Jonathan Marshall Construction; Coastal Window & Door Center of Charleston,  
LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-  
Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a

Casteen Custom Cabinets; Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; New South Construction Supply, LLC; Architectural Products of Charleston, LLC; and Sealtight of South Carolina, LLC, are

Respondents.

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**PROOF OF SERVICE**

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I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant Seaquest Development Company, Inc., hereby certify that the **PETITIONER'S MOTION FOR EXTENSION OF TIME TO FILE/SERVE REPLY TO RESPONDENTS' RETURN TO PETITION FOR REHEARING** in the above-captioned case were served on all parties to this matter (who have appeared in the action) on August 7, 2023, by emailing (see attached) a copy of the same to their respective counsel of record:

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Respectfully submitted,  
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Charleston, South Carolina

August 7, 2023

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**Subject:** Andrew McIntire v. Red Bay Constructors Corp.//2021-001055  
**Date:** Monday, August 7, 2023 8:49:51 PM  
**Attachments:** [McIntire v. Seaquest \(2021-001055\) -- Seaquest's Mot. for Ext re Reply in Supp. of Petition for Rehearing.pdf](#)  
[image001.png](#)

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Attached please find our **Motion for Extension of Time to File/Serve Reply to Respondents' Return to Petition for Rehearing** in the above-referenced case.

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