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Aug 28 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Pickens County
In the Court of Common Pleas
Hon. Alex Kinlaw, Jr. and Hon. Perry H. Gravely

2022-001499

Click Properties, LLC and Hyper Formance, LLC.....Respondents,

Versus

Thomas SC Properties, LLC and All-Tech Tire and Auto Repair, LLC.....Appellants.

**MOTION TO FILE
THE RECORD ON APPEAL
OUT OF TIME, AND MOTION FOR
EXTENSION OF TIME TO FILE THE
RECORD ON APPEAL**

Scarlet B. Moore, #72534
Attorney for Appellants
P.O. Box 17615
Greenville, S.C. 29606
(864) 214-5805
(864) 752-0930 (FAX)

August 28, 2023

NOW INTO COURT, come the Appellants, who move this Honorable Court for an Order permitting the Appellants to file the Record on Appeal out of time, and for an extension of time to file the Record on Appeal, for the following reason, to wit:

Undersigned counsel needs additional time to have the Record on Appeal prepared given the projected size of the Record, and counsel's work commitments prior to the time the Record was due in this matter. Counsel further submits that this case is not subject to the order requiring expedited treatment of appeals. Additionally, the Record on Appeal requires retrieval of documents designated from the Pickens County Clerk of Court. Lastly, the Record on Appeal is projected to be multiple volumes which will require additional time to prepare.

WHEREFORE, the Appellants pray that this Honorable Court will permit the Appellants to file the Record on Appeal out of time, and for an extension to file the Record on Appeal until Friday, September 22, 2023.

Respectfully Submitted,

s/Scarlet B. Moore

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CERTIFICATE OF SERVICE

I certify that on this date, August 28, 2023, I have served the Appellant's Motion to File the Record on Appeal Out of Time, and Motion for Extension of Time to File the Record on Appeal on opposing counsel to their respective **E-MAIL** address, pursuant to the Order of the Supreme Court Appellate Case No. 2020-000447(g)(3).

Laura Wilcox Howle Teer, lteer@bnmlaw.com
Gwendolyn G. Martin, gmartin@bnmlaw.com
Bradford Neal Martin, bmartin@bnmlaw.com
Molly Hubbard Cash, molly@mollycashlaw.com

Respectfully Submitted,

s/Scarlet B. Moore

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August 28, 2023

Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

**RE: Click Properties, et al, v. Thomas SC Properties, LLC, et al
Appellate Case No. 2022-001499**

Dear Madam Clerk,

Enclosed please find the Appellants' Motion to File The Record on Appeal Out of Time, and Motion for Extension of Time to File the Record on Appeal, and a Certificate of Service in the above titled matter. The filing fee will be forwarded to the Court by U.S. Mail.

Please let me know if you have questions regarding the enclosed. With kind regards, I remain

Very Truly Yours,

s/Scarlet B. Moore

Scarlet B. Moore, Esq.
Counsel for Appellants

SBM/s

Cc: Laura Wilcox Howle Teer, lteer@bnmlaw.com
Gwendolyn G. Martin, gmartin@bnmlaw.com
Bradford Neal Martin, bmartin@bnmlaw.com

SBM/s
Enclosures

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