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SC Court of Appeals

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

**RESPONSE TO APPEAL FROM
CHARLESTON COUNTY COURT OF COMMON PLEAS**

The Honorable Bentley Price, Circuit Court Judge

Appellate Case No. 2022-001303

CP Case No. 19-CP-10-06387

Haley Surface, Hannah Glickman, Jill Surface, and Diane Glickman Appellants,

versus

Fairfield 132 Smith Street, LLC Respondent.

**MOTION FOR EXTENTION OF TIME FOR RESPONDENT
TO SERVE AND FILE REPLY BRIEF**

Pursuant to Rule 240 of the South Carolina Appellate Court Rules (SCACR), Respondent Fairfield 132 Smith Street, LLC (Fairfield) moves for an extension of time in which to serve and file Respondent's Reply Brief. Fairfield requests an extension of thirty (30) days to file their Reply Brief which are currently due September 5, 2023. This is the first such request for an extension filed by Fairfield.

Respondent respectfully requests the Court grant this motion on the grounds that other impending matters of professional responsibility and obligation create an instant need for

additional preparation time for the Reply Brief. An acquiescence of a thirty-day delay in Respondent's Reply Brief timeline will not pose prejudice to the rights of either party. We have notified Appellant's counsel of our intention to file this motion. No objection was raised on Appellant's behalf. Granting this motion would thus require Respondent's Reply Brief to be filed with the Court no later than October 5, 2023.

For these reasons, Fairfield requests an extension of the filing and service deadline of the Reply Brief for Respondent until October 5, 2023.

Dated this 5^h day of September, 2023.

s/Matthew Z. Kelly
Matthew Z. Kelly, Esq.
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Mt. Pleasant, SC 29464
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Attorney for Respondent

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PROOF OF SERVICE

I, Matthew Z. Kelly, the undersigned counsel for Respondent, hereby certify that I have served the **Motion for Extension of Time for Respondent’s Reply Brief, and the Notice of Appearance**, on Appellants, Haley Surface, Hannah Glickman, Jill Surface and Diane Glickman via email on September 5, 2023, addressed to the attorney of record, Andrew T. Shepherd, Esquire, at andrew@sheplawfirm.com.

s/Matthew Z. Kelly
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Attorney for Respondent

Dated: September 5, 2023