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**Nov 01 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

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Case No. 2023-001604

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Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee and  
on behalf of the David J. Woodson Revocable Living Trust, and  
Kay Elrod, ..... Appellants,

v.

Anderson County Planning Commission, ..... Respondent.

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**MOTION FOR LEAVE TO REQUEST  
TRANSCRIPT OUT OF TIME**

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COME NOW the Appellants Toll Brothers Inc., Gail Keener, David J. Woodson as  
Trustee and on behalf of the David J. Woodson Revocable Living Trust, and Kay Elrod  
("Appellants") and respectfully request this Court of Appeals grant the Appellants leave  
to request the transcript in this matter out of time.

Counsel for Appellants sent a letter to court reporter Lesa Taylor requesting the  
relevant transcript on October 31, 2023, ten days beyond the time proscribed by Rule 207  
of the South Carolina Appellate Court Rules. No party will be prejudiced by this  
enlargement of time. Counsel for the Appellants has conferred with counsel for the

Respondent and Respondent does not object to this Motion. A copy of the letter requesting this relevant transcript is attached hereto as **Exhibit A**.

Respectfully submitted:

November 1, 2023  
Greenville, South Carolina

Other Counsel of Record:

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*Attorney for Anderson County Planning  
Commission*

s/ Andrew A. Mathias

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*Attorneys for Toll Brothers Inc., Gail Keener,  
David J. Woodson as Trustee and on behalf of the  
David J. Woodson Revocable Living Trust, and  
Kay Elrod*

# EXHIBIT A



**Andrew A. Mathias**  
Shareholder

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**SC Court of Appeals**

October 31, 2023

**VIA EMAIL (ldtaylor@sccourts.org)**

Lesa Taylor  
Official Court Reporter for Anderson County, SC  
213 Points End  
Anderson, SC 29625

**RE: Toll Brothers Inc., et al v. Anderson County Planning Commission  
Case No. 2022-CP-04-00387, Anderson County Court of Common Pleas  
Appellate Case No. 2023-001604**

Dear Ms. Taylor:

We hereby request an expedited copy of the transcript of the hearing before Judge R. Lawton McIntosh from May 25, 2023 relative to the above matter.

Please let me know how quickly we can receive the transcript.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Mathias", with a long horizontal flourish extending to the right.

Andrew A. Mathias

AAM:cg

cc: A. Todd Darwin, Esq. (via email)  
SC Office of Court Administration (via email)

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**PROOF OF SERVICE**

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I certify that I have served Appellants' Motion for Leave to Request Transcript Out of Time on Respondent Anderson County Planning Commission by emailing a copy of the same to the following counsel of record for Respondent using the primary email address listed in the Attorney Information System.

Todd Darwin, [tdarwin@holcombebomar.com](mailto:tdarwin@holcombebomar.com)

November 1, 2023

*s/Andrew A. Mathias*

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