

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Maite Murphy, Circuit Court Judge

Appellate Case No.: 2020-001387
Case No. 2017-CP-10-5493

Shem Creek Development Group, LLC, Respondent,

v.

The Town of Mount Pleasant, South Carolina,..... Appellant.

RESPONDENT’S MOTION FOR EXTENSION OF TIME

Pursuant to South Carolina Appellate Court Rules 240 and 263(b), Respondent Shem Creek Development Group, LLC moves for an extension of seven (7) days from the existing deadline for February 9, 2024 to file Respondent’s Return to Petition for Rehearing. Appellant filed its Petition for Rehearing on January 18, 2024. On January 31, 2024, the Court of Appeals sent a letter requesting that Respondent file a Return to the Petition for Rehearing within ten (10) days of the date of the Court’s letter. Respondent’s Return to Petition for Rehearing will be due on February 16, 2024 if the extension is granted.

Respondent respectfully submits that a seven-day extension to file its Return to Petition for Rehearing is appropriate due to Respondent counsel’s existing work

demands, including three depositions and associated preparation, which were scheduled prior to receipt of the Court's request to submit a return to Appellant's Petition for Rehearing. Appellant's counsel consents to this extension request.

For the reasons set forth herein, Respondent requests a seven-day extension to file its Return to Petition for Rehearing.

Respectfully submitted,



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Attorney for Respondent
Shem Creek Development Group, LLC

February 6, 2024
Charleston, South Carolina

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Feb 06 2024

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Shem Creek Development Group, LLC, Respondent,

v.

The Town of Mount Pleasant, South Carolina, Appellant.

PROOF OF SERVICE

This is to certify that I have this day served counsel for Appellant in the foregoing matter with a copy of *Respondent's Motion for Extension of Time*, via electronic mail only, addressed as follows:

Andrew F. Lindemann
Lindemann Law Firm, P.A.
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*Attorney for Respondent
Shem Creek Development Group, LLC*

February 6, 2024
Charleston, South Carolina

February 6, 2024

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VIA EMAIL ONLY

The Honorable Jenny Abbott Kitchings
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Re: Shem Creek Development Group, LLC v. The Town of Mount Pleasant
Appellate Case No.: 2020-001387
MVA File No.: 043920.000001

Dear Ms. Kitchings:

With regard to the above-referenced matter, please accept the enclosed **Respondent's Motion for Extension of Time** and **Proof of Service** for filing. The required filing fee in the amount of \$50.00 is being mailed to the Court under separate cover.

By copy of this letter, I am serving Appellant's attorneys with a copy of the Motion for Extension of Time.

Thank you for your assistance in this matter. If you should have any questions or concerns, please don't hesitate to contact me.

Sincerely,



E. Brandon Gaskins

EBG/lp

Enclosures: As Stated.

cc: **VIA EMAIL ONLY**
Andrew F. Lindemann, Esq.
David G. Pagliarini, Esq.
Claudius O. Tackett, II, Esq.

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SC Court of Appeals