

**RECEIVED**

**Feb 29 2024**

**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  
Mikell R. Scarborough, Master-in-Equity

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Appellate Case No. 2023-001615  
Trial Court Case No. 2021CP1005211, 2021CP1004416

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CKC Properties, LLC,

Respondent

v.

The Town of Mount Pleasant, South Carolina;  
The Town of Mount Pleasant Board of Zoning Appeals;  
Michael Robertson, in his official capacity as Zoning Administrator;  
Justin O'Toole Lucey; 415 Mill St., Inc; and 69 Scott Street, LLC,

Respondents Below.

Of Which The Town of Mount Pleasant, South Carolina;  
The Town of Mount Pleasant Commercial Design Review Board;  
and The Town of Mount Pleasant Board of Zoning Appeals,  
Justin O'Toole Lucey; 415 Mill St., Inc.; and 69 Scott Street, LLC are the

Appellants.

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**MOTION FOR EXTENSION OF TIME  
TO FILE/SERVE INITIAL BRIEF OF RESPONDENT**

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TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

Respondent CKC Properties, LLC, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, respectfully moves for an extension of thirty (30) days' additional time to file/serve its initial response brief and corresponding designation of matter to be included in the record on appeal.

Presently, in accordance with Rule 208(a)(2), the deadline for Respondent's initial brief and designation of matter is Wednesday, March 27, 2024. On account of work-related and other time commitments, Respondent respectfully requests this deadline be extended by an additional thirty (30) days. Respectfully, Respondent believes this relief is consistent with the interests of justice and will not work any undue prejudice upon Appellants – all of whom secured and utilized two (2) consecutive thirty (30) day extensions for the filing of their initial brief and designation of matter.<sup>1</sup>

WHEREFORE, Respondent moves this Honorable Court to grant it an extension of thirty (30) days' time to file/serve its initial response brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving the initial brief and designation of matter would be April 26, 2024, according to the undersigned's calculations. Further, Respondent respectfully requests the Court hold the present initial-briefing/ designation-of-matter deadline in abeyance until it acts upon this motion.

**[SIGNATURE PAGE TO FOLLOW]**

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<sup>1</sup> Appellants filed their initial brief, designation of matter, and proof of service on February 26, 2024 at 11:57 p.m. Appellants' deadline, after being granted two (2) consecutive thirty (30) day extensions granted by the Court, was February 26, 2024.

Respectfully submitted,

McCULLOUGH ▪ KHAN ▪ APPEL

s/Ross A. Appel

Ross A. Appel, Esq. (SC Bar #79149)

2036 eWall Street

Mount Pleasant, SC 29464

(843) 937-0400

(843) 937-0706 (fax)

ross@mklawsc.com

*Attorneys for Respondent*

*CKC Properties, LLC*

Mt. Pleasant, South Carolina  
February 29, 2024

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Of which The Town of Mount Pleasant, South Carolina, and  
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Appellants

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**PROOF OF SERVICE**

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I, Elizabeth M. Lademan, paralegal at McCullough Khan Appel hereby certify that Respondent CKC Properties, LLC's Motion for Extension of Time to File/Serve Initial Brief of Respondent was served on all other parties to this appeal on February 29, 2024, via email to their following counsel of record:

Stephen L. Brown  
[sbrown@ycrlaw.com](mailto:sbrown@ycrlaw.com)  
Stephanie Ramia Sandifer  
[ssandifer@ycrlaw.com](mailto:ssandifer@ycrlaw.com)  
Brian Lee Quisenberry  
[bquisenberry@ycrlaw.com](mailto:bquisenberry@ycrlaw.com)  
Zachary M. Kern  
[zkern@ycrlaw.com](mailto:zkern@ycrlaw.com)  
Russell G. Hines  
[rhines@ycrlaw.com](mailto:rhines@ycrlaw.com)  
25 Calhoun Street, Suite 400  
P.O. Box 993 (29402)  
Charleston, South Carolina 29401


*Attorneys for Appellants*

Justin O Lucey, Esquire  
[jlucey@lucey-law.com](mailto:jlucey@lucey-law.com)  
JUSTIN O'TOOLE LUCEY, P.A. Mount  
Pleasant, South Carolina

*Attorneys for Respondents Below Justin  
O'Toole Lucey; 415 Mill St., Inc.; and 69 Scott  
Street, LLC*

Jeffrey S. Tibbals, Esquire  
[jst@bybeetibbals.com](mailto:jst@bybeetibbals.com)  
Evan P. Williams, Esquire  
[ewilliams@bybeetibbals.com](mailto:ewilliams@bybeetibbals.com)  
BYBEE & TIBBALS, LLC  
Mount Pleasant, South Carolina

*Attorneys for Respondent Below Justin  
O'Toole Lucey*

  
Elizabeth M. Lademan,  
Paralegal

February 29, 2024  
Mount Pleasant, South Carolina