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May 08 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM AIKEN COUNTY  
B. Alex Hyman, Circuit Court Judge  
Case No. 2022-CP-02-01498

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Appellate Case No. 2024-000082

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David W. Blake, Luis E. Rinaldini, Dudley Richard Dewar, Jenne Stoker, Beatrice B. McGhee, Gail King, Historic Aiken Foundation, Inc., Green Boundary Foundation, and South Carolina Public Interest Foundation, ..... Appellants,

v.

City of Aiken; Aiken Municipal Development Commission; Aiken Design Review Board; Gary Smith, ..... Defendants,

Of whom City of Aiken; Aiken Municipal Development Commission; and Aiken Design Review Board, are ..... Respondents.

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**MOTION FOR EXTENSION OF TIME**

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Pursuant to Rule 240, SCACR, Respondent City of Aiken respectfully requests a thirty-day extension of time to file its initial brief and designation of matter. The current deadline for Respondent’s initial brief and designation of matter is May 22, 2024. With a thirty-day extension, the new deadline would be June 21,

2024. This motion is not made for the purpose of undue delay, but rather, Respondent requests an extension of time due to scheduling issues and professional obligations of counsel. This is the first request for an extension of this deadline.

Respondent also requests the current deadline be held in abeyance until this Court issues an order on this motion.

SMITH | ROBINSON

*s/ Daniel C. Plyler*

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**CERTIFICATE OF SERVICE**

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Pursuant to Section (d)(1) of the Supreme Court’s Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), the undersigned employee of Smith Robinson Holler DuBose and Morgan, LLC, counsel for the Defendant/Respondent City of Aiken, does hereby certify that service of the **Motion for Extension of Time** in the

above-captioned matter was made upon all counsel of record by email only this the 8th day of May, 2024, as follows:

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*s/ Daniel C. Plyler*

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**Subject:** Blake v. City of Aiken (Appellate Case No. 2024-000082)  
**Date:** Wednesday, May 8, 2024 10:19:00 AM  
**Attachments:** [image001.png](#)  
[Motion for Extension of Time to file Respondent Brief and Designation of Matter, 3.pdf](#)  
[COS-MTE Respondent Brief and Designation of Matter, 2.pdf](#)

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Attached herewith and served upon you please find the Motion for Extension of Time in regard to the above matter.

Thank you!

Daniel C. Plyler

**SMITH ROBINSON**  
Forward thinking. Results driven.

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