

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Mikell R. Scarborough, Presiding Judge

Appellate Case No.: 2024-000369

Ralph Dawkins and Michelle Dawkins,
Marcel Franquelin and Patricia Franquelin,
Michael A. Martin and Adriana S. Iaquinto-Martin,
Louis Glavinos and Kimberly Glavinos,
Daniel J. O'Grady and Kaitlyn E. Grigoleit,
Christopher M. Raybon and LaShonda K. Jones Raybon,
Morris K. White and Rebecca A. White,
Paul A. Banker and April D. Banker,
Patrick K. Daly and Brenda Daly,
Respondents.

v.

Eastwood Homes of Columbia, LLC d/b/a Eastwood Homes,
Eastwood Construction Partners, LLC f/k/a Eastwood Construction LLC,
d/b/a Eastwood Homes, and Eastwood Construction, LLC.
Appellants.

**RESPONDENTS FIRST MOTION FOR EXTENSION OF TIME TO FILE INITIAL
RESPONSE BRIEF AND DESIGNATION OF MATTER**

Respondents, by and through their undersigned counsel, respectfully moves this Court, pursuant to Rules 240 and 263, SCACR, for entry of an order extending the time by which Respondents must file their initial response brief by thirty (30) days. Respondents' initial response brief and Designation of Matter is currently due July 15, 2024, pursuant to Rules 208(a)(2) and

209(a), SCACR. The requested extension would extend these deadlines to August 14, 2024. The grounds for this motion are as follows:

1. On March 7, 2024, Appellants served and filed their Notice of Appeal. On March 15, 2024, Appellants informed the Court via letter that they were in possession of the transcripts so none needed to be ordered.

2. On June 14, 2024, Appellants filed their Initial Brief and Designation of Matter.

3. Pursuant to Rules 208(a)(2) and 209(a), SCACR, Respondents Initial Response Brief and Designation of Matter are due on July 15, 2024.

4. Respondents seek a 30-day extension of the July 15, 2024, deadline, pursuant to Rules 240 and 263, SCACR, to allow its counsel adequate time to prepare and file their Initial Response Brief and Designation of Matter.

5. This is the Respondents first request for an extension of time within which to file their Initial Response Brief and Designation of Matter. This request is supported by good cause and is not made to unnecessarily delay these proceedings. This request is necessitated by Respondents' counsel's work schedule and the early July due date of Respondents' counsel's wife.

6. Accordingly, Respondents respectfully requests this Court enter an Order extending the deadline by which Respondents must file their Initial Response Brief and Designation of Matter by thirty (30) days, such that the proposed new deadline would be August 14, 2024. Granting this motion would promote the interests of justice as well as preserve Court resources.

7. This Motion is supported by the grounds set forth herein and the South Carolina Appellate Court Rules.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

s/Ross A. Appel

Ross A. Appel, Esq., SC Bar No.: 79149

McCULLOUGH KHAN APPEL

2036 eWall Street

Mount Pleasant, SC 29464

(843) 937-0400

(843) 937-0706 (fax)

ross@mklawsc.com

s/Michael T. Cooper

Michael Thomas Cooper, SC Bar No.: 100053

APOSTOLOU LAW FIRM

3443 Rivers Ave.

North Charleston, SC 29405

(843) 853-3637

michael@apostoloulaw.net

COUNSEL FOR RESPONDENTS

June 24, 2024

Charleston, South Carolina

RECEIVED

Jun 24 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Mikell R. Scarborough, Presiding Judge

Appellate Case No.: 2024-000369

Ralph Dawkins and Michelle Dawkins,
Marcel Franquelin and Patricia Franquelin,
Michael A. Martin and Adriana S. Iaquinto-Martin,
Louis Glavinos and Kimberly Glavinos,
Daniel J. O'Grady and Kaitlyn E. Grigoleit,
Christopher M. Raybon and LaShonda K. Jones Raybon,
Morris K. White and Rebecca A. White,
Paul A. Banker and April D. Banker,
Patrick K. Daly and Brenda Daly,
Respondents.


v.

Eastwood Homes of Columbia, LLC d/b/a Eastwood Homes,
Eastwood Construction Partners, LLC f/k/a Eastwood Construction LLC,
d/b/a Eastwood Homes, and Eastwood Construction, LLC.
Appellants.

PROOF OF SERVICE

I, Elizabeth M. Lademan, paralegal at McCullough Khan Appel, hereby certify that a true and correct copy of **Respondents' First Motion for Extension of Time to File Initial Response Brief and Designation of Matter** was served upon counsel for Appellants in the above-captioned matter via email, this 24th day of June, 2024, addressed as follows:

James Edward Bradley, SC Bar #66130
Moore Bradley Myers Law Firm, PA
1700 Sunset Blvd. (29169)
PO Box 5709
West Columbia, SC 29171
803-796-9160
Ward@mbmlawsc.com
Attorney for Appellants



Elizabeth M. Lademan,
Paralegal

June 24, 2024
Charleston, South Carolina