

**RECEIVED**

**Aug 19 2024**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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Appeal from Horry County  
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

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Case No. 2024-000772

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Waterfall Investment and Construction Group, LLC,

Appellant,

v.

A&E Construction & Maintenance, LLC, Jeronimo Ponce d/b/a JP & Sons Builders,  
Creative Drafting and Designs, Defendants  
Of which Jeronimo Ponce d/b/a JP & Sons Builders is the

Respondent.

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**RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON  
APPEAL**

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Wilson, Heyward & Reeser, LLP  
Brandon T. Reeser, Esquire  
P.O. Box 13177  
Charleston, SC 29422  
Telephone: (843) 762-4567  
Email: breeser@wilsonheyward.com  
*Counsel for Respondent*

TO: The Honorable Judges of the South Carolina Court of Appeals:

Pursuant to Rule 263(b), SCACR, Respondent Jeronimo Ponce d/b/a JP & Sons Builders (hereinafter "Respondent"), hereby move for a 30-day extension of time in which to file and serve Respondent's Initial Brief and Designation of Matters to be Included in the Record on Appeal in the above referenced matter. Counsel for Respondent has been involved with numerous lengthy depositions and mediations, in addition to a delay documented by Court Administration in obtaining the transcript of record, and requires additional time to draft its Initial Brief and Designation of Matters to be Included in the Record on Appeal.

WHEREFORE, Respondent respectfully submits good cause exists for the granting of this motion, and request that the Court issue an Order granting them 30 additional days in which to file and serve its Brief. With the requested extension, Respondent's Brief and Designation of Matters to be Included in the Record on Appeal will be due on September 23, 2024.

Respectfully submitted:

WILSON, HEYWARD & REESER, LLP

By: 

Brandon T. Reeser, Esquire

P.O. Box 13177

Charleston, SC 29422

Telephone: (843) 762-4567

Email: [breeser@wilsonheyward.com](mailto:breeser@wilsonheyward.com)

Attorneys for Respondent

Charleston, South Carolina

Dated: 8/19/24

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**RESPONDENT'S PROOF OF SERVICE FOR MOTION FOR EXTENSION OF TIME  
TO FILE INITIAL BRIEF AND DESIGNATION OF MATTERS TO BE INCLUDED IN  
THE RECORD ON APPEAL**

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Wilson, Heyward & Reeser, LLP  
Brandon T. Reeser, Esquire  
P.O. Box 13177  
Charleston, SC 29422  
Telephone: (843) 762-4567  
Email: breeser@wilsonheyward.com  
*Counsel for Respondent*

I certify that I have served a copy of Respondent's Motion for Extension of Time to file Initial Brief and Designation of Matters to be Included in the Record on Appeal in the above-captioned matter on the following individuals by electronic mail, addressed as follows:

Wright, Worley, Pope, Ekster & Moss, PLLC  
Kenneth R. Moss, Esquire ([KennethMoss@wwpemlaw.com](mailto:KennethMoss@wwpemlaw.com))  
628A Sea Mountain Hwy.  
N. Myrtle Beach, SC 29582

Respectfully submitted:

WILSON, HEYWARD & REESER, LLP

  
By: \_\_\_\_\_  
Brandon T. Reeser, Esquire  
P.O. Box 13177  
Charleston, SC 29422  
Telephone: (843) 762-4567  
Email: [breeser@wilsonheyward.com](mailto:breeser@wilsonheyward.com)  
Attorneys for Respondent

Charleston, South Carolina

Dated: 8/19/24

BONUM S. WILSON III, ESQ.  
bwilson@wilsonheyward.com



BRANDON T. REESER, ESQ.  
breeser@wilsonheyward.com

E. JEANNETTE HEYWARD, ESQ.  
jheyward@wilsonheyward.com

WILSON, HEYWARD & REESER  
LLC

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August 19, 2024

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**SC Court of Appeals**

**VIA EMAIL AND US MAIL**

The Honorable Jenny Abbott Kitchings, Clerk of Court  
S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: *Waterfall Investment and Construction Group, LLC v. Jeronimo Ponce d/b/a JP & Sons Builders, et al.*  
Appellate Case No.: 2024-000772  
Claim No: N000010124219  
WHR File No: 54-191

Dear Ms. Kitchings:

Enclosed for filing in the above matter please find the original and six (6) copies of Respondent's Motion for Extension of Time to File Initial Brief and Designation of Matters to be Included in the Record on Appeal and Proof of Service pertaining to same. Also enclosed is our firm check in the amount of \$50.00 representing the filing fee for this motion.

Should you have any questions, please do not hesitate to contact me.

Yours very truly,

WILSON HEYWARD & REESER, LLC

Brandon T. Reeser

BTR/ERO

Enclosures: as stated

cc: Kenneth R. Moss, Esquire (via email)

ALL MAIL  
P.O. BOX 13177  
CHARLESTON, SC  
29422

PHYSICAL  
924 FOLLY ROAD  
CHARLESTON, SC  
29412

PHYSICAL  
305 WALNUT ST., W.  
SALLEY, SC  
29137

PHONE / FAX  
843.762.4567  
843.762.2345

WEBSITE  
WILSONHEYWARD.COM