

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough

Case No. 2017-CP-10-03099

Appellate Case No. 2022-001479

Elizabeth Heatley, Neil B. McCann, Jr., David Neil Monk, Thomas V. Bessent, and
Mariner's Cay Marina Council of Co-Owners, Inc.,.....Respondents,

v.

Mariner's Cay Marina Condo, LLC, Mariner's Cay Fuel Dock, LLC, George A. Farmer.,
Jr., and South Atlantic Bank, Defendants,

Of which Mariner's Cay Marina Condo, LLC, Mariner's Cay Fuel Dock, LLC, and George
A. Farmer., Jr. are the.....Appellants.

APPELLANTS' MOTION FOR RELIEF
PURSUANT TO RULE 240 SCACR

The Appellants, by and through their undersigned counsel, hereby move the Court for relief from the oral argument scheduled for October 8, 2024, in this matter due to the fact that the Appellants have already purchased tickets for travel outside of the country. The Appellants have scheduled this travel in order to make necessary repairs on their rental property and the financial burden to change these plans would cost them thousands of dollars. In addition, over the past eight years in this legal matter, Appellants have granted


opposing counsel and the Respondents many scheduling changes due to their vacations, family conflicts and work.

Counsel requests that all timelines be held in abeyance while the Court considers this request.

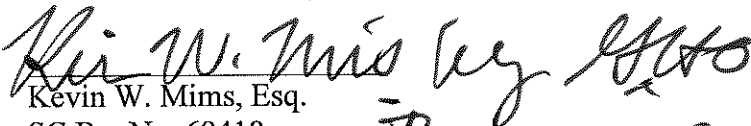
Mt. Pleasant, South Carolina

September 09, 2024

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SC Court of Appeals

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A. Farmer., Jr. are the.....Appellants.

PROOF OF SERVICE

I certify that I have served the Appellants' Motion for Relief Pursuant to Rule 240 SCACR
by Via Email to cgb@barrungermcintosh.com, DCleveland@clawsonandstaubes.com and
Via US Mail addressed to Capers G. Barr, III, Barr, Unger & McIntosh, LLC, 11 Broad
Street, PO Box 1037, Charleston, SC 29402 and David C. Cleveland, Clawson and Staubes,
LLC, 126 Seven Farms Drive, Suite 200, Charleston, SC 29492-8144.

[SIGNATURES ON FOLLOWING PAGE]

Mt. Pleasant, South Carolina
September 9, 2024

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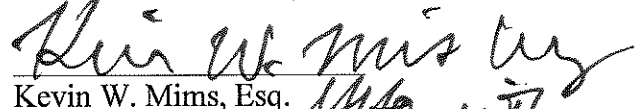
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September 9, 2024

VIA EMAIL: ctappfilings@sccourts.org

AND VIA US MAIL
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

RECEIVED
Sep 09 2024
SC Court of Appeals

*RE: Elizabeth Heatley v Mariners Cay Marina Condo, LLC et al.,
C/A No.: 2017-CP-10-3099 Appellate Case No. 2022-001479
Client File No.: 1219.0019*

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of the Motion for Relief Pursuant to Rule 240 SCACR and Proof of Service in the above-referenced matter along with the filing fee in the amount of \$50.00.

By copy of this letter, I am serving same upon all counsel. Should you have any questions, please feel free to contact me.

With kindest regards, I remain

Yours very truly,

A handwritten signature in black ink, appearing to read 'G. Hamlin O'Kelley, III'.

G. Hamlin O'Kelley, III

GHOIII/atd
Enclosures (Via Email and US Mail)
Capers G. Barr, III, Esq.
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David C. Cleveland, Esq.
Kevin W. Mims, Esq.
Whidbee S. Perrin, Esq.