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Oct 02 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable B. Alex Hyman, Circuit Court Judge

Case No.: 2024-CP-26-04542

City of Myrtle BeachAppellant,

v.

Rent Me Superstore.....Respondent,

**MOTION FOR EXTENSION OF TIME
FOR APPELLANT TO FILE ITS INITIAL BRIEF**

Appellant, City of Myrtle Beach (“Appellant”), by and through its undersigned counsel, with the consent of the Respondent, Rent Me Superstore (“Respondent”), hereby moves the Court for an Order granting a thirty (30) day extension of time to file Appellant’s Initial Brief.

The parties are currently engaged in efforts to settle this matter, including the exchange of drafts of a settlement agreement. This Motion is made in light of such settlement efforts and the requested extension of time is consistent with the interests of justice.

Appellant’s Initial Brief is due October 10, 2024 and if this request is granted, Appellant’s Initial Brief will be due on November 11, 2024.¹ Appellant submits that this Motion for Extension is not intended for purposes of delay.

¹ Thirty (30) days from October 10, 2024 is November 9, 2024, which is a Saturday. Therefore, Appellant’s Initial Brief would be due on Monday, November 11, 2024 if this Motion is granted.

Counsel for Appellant has consulted with counsel for Respondent and Respondent consents to this extension of time.

Respectfully submitted,

Holly M. Lusk

DOUGLAS M. ZAYICEK (SC Bar No. 11307)

HOLLY M. LUSK (SC Bar No. 102307)

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**CONSENT TO MOTION FOR EXTENSION OF TIME
FOR APPELLANT TO FILE ITS INITIAL BRIEF**

I SO CONSENT:

s/A. Preston Brittain
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Rent Me Superstore.....Respondent,

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time for Appellant to File its Initial Brief on the counselors of record listed below by electronic mail and U.S. Mail a copy of same on October 2, 2024, addressed to:

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October 2, 2024

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SC Court of Appeals

VIA EMAIL ONLY: ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Rent Me Superstore, Respondent v. City of Myrtle Beach, Appellant
Appellate Case No. 2024-001265

Dear Ms. Kitchings:

Enclosed for filing is the Motion for Extension of Time for Appellant to File its Initial Brief in the above-referenced matter. Also enclosed is a Proof of Service serving Mr. Brittain with the same. If you need anything additional or have any questions, please do not hesitate to contact our office.

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Attorneys for the Appellant


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Enclosures as noted

cc: A. Preston Brittain, Esq.