

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Marvin H. Dukes, III, Master-In-Equity

Appellate Case No. 2024-001606

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Oct 04 2024

S.C. SUPREME COURT

Beaufort County,

Appellant,

v.

Adams Outdoor Advertising Limited Partnership and Bo Hodges,

Respondents.

**RESPONDENTS' FIRST MOTION FOR EXTENSION OF TIME TO FILE RETURN TO
APPELLANT'S PETITION FOR WRIT OF CERTIORARI**

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*Attorneys for Respondents Adams Outdoor
Advertising Limited Partnership and
Bo Hodges*

Respondents Adams Outdoor Advertising Limited Partnership and Bo Hodges (collectively, “Respondents”), by and through their undersigned counsel, respectfully move this Court, pursuant to Rules 240 and 263, SCACR, for entry of an order extending the time by which Respondents must serve and file their Return to the Petition for Writ of Certiorari by ten (10) days, such that the Return would be due on Monday, November 4, 2024. The grounds for this motion are as follows:

1. Appellant Beaufort County (“Appellant” or “County”) filed its Petition for Writ of Certiorari with this Court on September 23, 2024, meaning Respondents’ current deadline to file and serve their Return to the Petition under Rule 242(f), SCACR, is October 23, 2024.¹

2. To allow their counsel adequate time to prepare their Return, Respondents seek a 10-day extension of said deadline, pursuant to Rule 263(b), SCACR, and in accordance with this Court’s Order dated July 16, 2014 (No. 2014-07-16-01).

3. This is Respondents’ first request for an extension of time within which to serve and file their Return to Appellant’s Petition. This request is supported by good cause and is not made in an effort to unnecessarily delay these proceedings, but rather is a request necessitated by the workload and previously scheduled personal and professional commitments of Respondents’ counsel, including, but not limited to, a date certain trial beginning the week prior, and multiple depositions and motion hearings during the two (2) weeks prior, to the current deadline.

4. Respondents respectfully submit that granting this motion would promote the interests of justice as well as preserve Court resources, and would not unduly prejudice any other

¹ As will be further discussed in Respondents’ Return, Appellant failed to timely serve its Petition on Respondents in accordance with Rules 242(c) and 262(c), SCACR. By filing this motion, Respondents do not waive this argument and expressly reserve the right to assert the same in their Return and during this appeal.

party to this appeal. This motion is supported by the grounds set forth herein and the South Carolina Appellate Court Rules.

5. Accordingly, Respondents respectfully requests that this Court enter an Order extending the deadline by which Respondents must serve and file their Return to Appellant's Petition for Writ of Certiorari by ten (10) days, such that the proposed new deadline would be November 4, 2024, according to calculations of the undersigned.² Additionally, Respondents respectfully request that the Court hold the current deadline for Respondents' Return to the Petition in abeyance until it acts on this motion.

Respectfully submitted,

s/Jeffrey S. Tibbals

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October 4, 2024

Mt. Pleasant, South Carolina

² As the tenth day after the current deadline of October 23, 2024 is a Saturday (November 2), the requested extended deadline, pursuant to Rule 263(a), SCACR, runs until the end of Monday, November 4, 2024, that being the next day which is neither a Saturday, Sunday nor state or federal holiday.