

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case No. 2023-001147

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes III, Master in
Equity and Special Circuit Court Judge
Case No. 2020-CP-07- 00977

BOKF Real Estate Holding, LLC

Respondent,

v.

T &S Management, Inc. and
Turan Strange

Appellants.

MOTION TO FILE OUT OF TIME

Appellants T & S Management, Inc. and Turan Strange, through undersigned counsel, respectfully move the Honorable Court for an Order permitting them to file the Record on Appeal after the deadline established by the court.

The underlying basis for the Motion is stated herein. Counsel filed Appellants' Reply Brief in this matter on August 16, 2024, the event that procedurally triggered the thirty day deadline for filing the Record on Appeal. As noted in prior submissions, counsel filed the Reply brief after being hospitalized with surgery July 30 through August 2, and was recovering from surgery at the time. Unfortunately, counsel's mother passed away on August 15, just before Reply Brief was filed. Counsel did not seek further extension for that filing as the Court's prior Order stated that no further extensions were available absent further motion. Thereafter, while attending to final arrangements, counsel neglected to

properly calender the due date for the Record. Separately, counsel required further surgery on a separate issue on August 26, 2024 and was not properly focused on the instant matter. Counsel returned to work without limitations after the Labor Day weekend. Counsel realized that the Record filing was delinquent upon receipt of the Court's letter dated September 24.

Further, while the digital Record on Appeal is filed herewith, Counsel requests an additional ten days to file the bound Record on Appeal. In terms of volume, the majority of the documents within the Record are documents requested by the Appellee, the final versions of which were just recently received by counsel, whom is taking the record to a third party provider for proper printing and binding.

WHEREFORE, Appellants request that the Court permit Appellants to file Record of Appeal out of time and additional time file the bound paper copy with the Court.

October 4, 2024

Respectfully Submitted,

Mogil Law Firm

/s/ Michael W. Mogil

Michael W. Mogil, SC Bar No. 11933
2 Corpus Christie Place, Ste. 103
Hilton Head Island, SC 29928
(843) 785-8110
mmogil@mogillaw.com
Attorney for Appellants

Other Counsel of Record:
Edward Kubec Esq.
52 New Orleans Road
Hilton Head Island, SC
29928
Counsel for Respondent