

RECEIVED

Oct 31 2024

THE SOUTH CAROLINA COURT OF APPEALS SC Court of Appeals

Columbia Construction Service, LLCPlaintiff

v.

GMK Associate Design-Build Division, Inc., and Town of Andrews

Of Which,

GMK Associate Design-Build Division, Inc.,

Defendant/Respondent,

v.

Town of Andrews,

Defendant/Appellant,

Of Which Town of Andrews is the Appellant.

The Honorable Thomas A. Russo,
Special Referee,
Georgetown County
Trial Court Case No.: 2022-CP-22-00663

Appellate Case No. 2024- - _____

**NOTICE OF MOTION AND MOTION TO
EXTEND TIME TO INITIAL BRIEF**

TO COUNSEL OF RECORD: NOW COMES, Eleazer R. Carter, Attorney for the Appellant, Town of Andrews, which now moves the Court for an Order to Extend the Time to File the Initial Brief. This motion shall be based on the fact that the Appellant requested a copy of the Transcript, and the same was received on October 2, 2024, and October 4, 2024. The Attorney for the Appellant received the Transcript on the following day and subsequent exhibits. The Initial Brief will be due on November 4, 2024. Since receiving the transcript, the undersigned attorney for the Appellant has been under medical care for some medical concerns and is, and has been out of his office for several weeks. Further, no prior request for an extension for the Initial Brief has been requested. The undersigned counsel now moves the Court for Thirty (30) days extension of time to file his initial brief in this matter.

October 31, 2024

S/ Eleazer R. Carter

Eleazer R. Carter, Esquire
Post office Box 187
Manning, South Carolina 29102
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Appellant,

Of Which Town of Andrews is the Appellant.

The Honorable Thomas A. Russo,
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Georgetown County

Trial Court Case No.: 2022-CP-22-00663

Appellate Case No. 2024—_____

**PROOF OF SERVICE OF
NOTICE OF MOTION AND MOTION
TO EXTEND TIME TO FILE INITIAL BRIEF**

NOW COMES, Eleazer R. Carter, Attorney for the Appellant, Krista McLeod Walls, who now affirms that he has mailed a copy of the Notice of Motion and Motion to Extend Time to File the Appellant's Initial Brief on all counsel of record, by mailing the same to the below Attorney for the other Defendant/Respondent:

Attorney for the Defendant/Respondent Below

R. Bryan Barnes, Esquire
Attorney for Defendant/Respondent
Post Office Box 100200
Columbia, South Carolina 29202

October 31, 2024

THE CARTER LAW FIRM

S/ Eleazer R. Carter

Eleazer R. Carter, Esquire

S.C. Bar.: 012032

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Eleazer R. Carter

Reply To:

Manning Office

October 31, 2024

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SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk of Court S.C. Appeal
1220 Senate Street
Columbia, South Carolina 29201

Re Columbia Construction Service, LLCPlaintiff
v.

GMK Associate Design-Build Division, Inc., and Town of Andrews

Of Which,

GMK Associate Design-Build Division, Inc.,

Defendant/Respondent,

v.

Town of Andrews, Defendant/ Appellant.

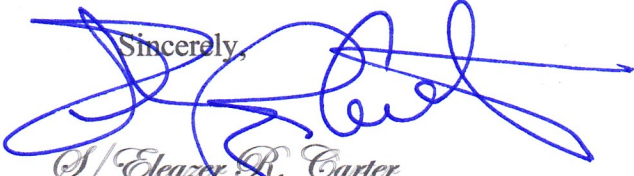
Trial Court Case No.: 2022-CP-22-00663

Dear Ms. Kitchings:

Please find enclosed the Appellant's **Motion to Extend Time to File his Initial Brief as well as the proof of service upon the attorney for the Respondent.** Please file these documents and return clock copies of the same to this Office. Under a separate hard copy of this letter, we are sending the \$50.00 filing fee for this motion.

Thank you in advance for your attention to this matter, and if you have any question(s) you should not hesitate to contact the undersigned.

Sincerely,



Eleazer R. Carter
Eleazer R. Carter

ERC/

Cc: R. Bryan Barnes, Esquire bryan.barnes@rogerstownsends.com

Attorney for Defendant/Respondent

Post Office Box 100200

Columbia, South Carolina 29202