

THE SOUTH CAROLINA 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
Appellate Case No. 2024- 001370

**SECOND 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 granting an additional extension of time to file the Initial Brief in the above-referenced matter. This motion shall be based on the representations stated in the October 31, 2024, motion and below concerns. The initial brief is now due on December 4, 2024. That while the Attorney for the Appellant was recovering from a medical condition stated in the October 31, 2024, motion, said attorney is also the primary care-taker of his father who was hospitalized and released on November 24, 2025, and is in need of 24 hours around the clock care. The undersigned attorney has consistently worked on the initial brief and designation of matters, however he is in need of an additional ten (10) days to submit the same. Further, only one prior request for an extension for the Initial Brief has been requested. The undersigned attorney hereby affirms that he has discussed the same with the attorney for the Respondent. The undersigned counsel now moves the Court for ten (10) days extension of time to file his initial brief and matter to be designated for the record in this matter.

December 5, 2024

THE CARTER LAW FIRM

S/ Eleazer R. Carter

Eleazer R. Carter, Esquire
Post office Box 187
Manning, South Carolina 29102
Phone #: (803) 435-0550
Email: eleazercarter@aol.com

THE SOUTH CAROLINA 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,

Appellant,

Of Which Town of Andrews is the Appellant.

RECEIVED

Dec 05 2024

SC Court of Appeals

The Honorable Thomas A. Russo,
Special Referee,
Georgetown County
Appellate Case No. 2024-001370

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

NOW COMES, Eleazer R. Carter, Attorney for the Appellant, Town of Andrews, who now affirms that he has mailed a copy of the Second Notice of Motion and Motion to Extend Time to File the Appellant’s Initial Brief on all counsel of record, by email and 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

December 5, 2024

THE CARTER LAW FIRM
S/ Eleazer R. Carter
Eleazer R. Carter, Esquire
S.C. Bar.: 012032
Post Office Box 187
Manning, South Carolina 29102
Email: eleazercarter@aol.com
Tel. Ph: (803) 435-0550

THE CARTER LAW FIRM

105 South Brooks Street
P.O. Box 187
Manning, South Carolina 29102
Tel. (803) 435-0550
Fax (803) 435-0550

Eleazer R. Carter

Reply To:
Manning Office

December 5, 2024

RECEIVED

Dec 05 2024

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, LLC Plaintiff
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 **Second 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