

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

69889

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Honorable Larry B. Hyman, Circuit Court Judge

Case No. 2012-CP-26-06987

Appellate Case No. 2013-000971

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SEP 23 2013

SC Court of Appeals

Helicopter Solutions, Inc.
d/b/a Helicopter Adventures Respondent,

v.

Richard Hinde and Horry County Zoning Administrator, Defendants,

of whom Richard Hinde is Appellant.

**APPELLANT’S MOTION TO EXTEND TIME TO FILE
APPELLANT’S INITIAL REPLY BRIEF PENDING
THE COURT’S DISPOSITION OF APPELLANT’S
MOTION FOR A MORE DEFINITE STATEMENT
BY THE RESPONDENT OF MATTER DESIGNATED
FOR INCLUSION IN THE RECORD ON APPEAL**

Appellant Richard Hinde, by and through his undersigned counsel, hereby moves for an Order granting *Appellant’s Motion to Extend Time to File Appellant’s Initial Reply Brief Pending the Court’s Disposition of Appellant’s Motion for a More Definite Statement by the Respondent of Matter Designated for Inclusion in the*

Record on Appeal. Specifically, the Appellant seeks an Order or Orders of this Honorable Court granting him an extension of fifteen (15) days to file his Initial Reply Brief pending disposition of the *Appellant's Motion for a More Definite Statement by the Respondent of Matter Designated for Inclusion in the Record on Appeal*, served and filed concurrently herewith. In support of its Motion seeking an extension, the Appellant would show and allege as follows:

PROCEDURAL HISTORY

- (1) The Appellant served and filed his Initial Brief and Designation of Matter on August 2, 2013.
- (2) The Respondent served and filed a Notice of Petition and Petition Petition for Extension on August 20, 2013, requesting a fifteen (15) day extension of time within which to serve and file its initial brief and designation of matter. By Order dated August 27, 2013, Respondent's Petition was granted, extending the time for service and filing of the Respondent's initial brief and designation of matter until September 16, 2013. Respondent timely served and filed its Initial Brief and Designation of Matter to be Included in the Record on Appeal on September 13, 2013.

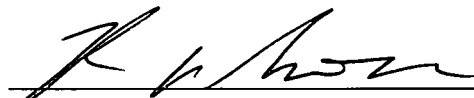
ARGUMENT

Appellant respectfully and specifically requests an extension to file his Initial Reply Brief until fifteen (15) days have elapsed after the Court has ruled on

Appellant's Motion for a More Definite Statement by the Respondent of matter designated for inclusion by the Respondent in the Record on Appeal, and Respondent's compliance therewith. Appellant asserts that this present Motion is reasonable and justified due to the fact that Respondent has designated the entire Record on Appeal to the Circuit Court from the Board of Zoning Appeals, consisting of one thousand one hundred twenty-seven (1,127) pages, and two (2) Transcripts of Proceedings consisting of a total of sixty-three (63) pages. The Respondent's designation of this copious amount of material fails to comply with Rules 210(c) and 210(g), SCACR inasmuch as it would include matters not relevant to the issues raised on Appeal by either of the parties. Further, inclusion of material not relevant to the issues raised on appeal by either party will cause the Appellant to incur unnecessary and costly legal expenses.

Respectfully submitted,

**WRIGHT, WORLEY, POPE, EKSTER
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North Myrtle Beach, South Carolina
September 20, 2013

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Honorable Larry B. Hyman, Circuit Court Judge

Case No. 2012-CP-26-06987

Appellate Case No. 2013-000971

Helicopter Solutions, Inc.
d/b/a Helicopter Adventures *Respondent,*

v.

Richard Hinde and Horry County Zoning Administrator, *Defendants,*
of whom Richard Hinde is *Appellant.*

PROOF OF SERVICE

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SC Court of Appeals

I certify that I have served copies of the *Appellant's Motion for a More Definite Statement by the Respondent of Matter Designated for Inclusion in the Record on Appeal; Affidavit of Kenneth R. Moss; and Appellant's Motion to Extend Time to File Appellant's Initial Reply Brief Pending the Court's Disposition of Appellant's Motion for a More Definite Statement by the Respondent of Matter Designated for Inclusion in the Record on Appeal* in the above-captioned appeal on the following individuals by United States Mail, with sufficient first-class postage affixed, addressed as follows:

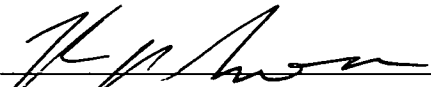
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Respectfully submitted,

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North Myrtle Beach, South Carolina
September 20, 2013