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Mar 24 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
The Honorable Martha M. Rivers

Case No. 2024-CP-40-03510

Appellate Case No. 2024-001963

Sherman and Claudia Howell,

Respondents,

v.

D.R. Horton, Inc.,

Appellant,

AND

D.R. Horton, Inc.,

Third-Party Plaintiff,

v.

Jenkins Plumbing Company, LLC, Caryl
Mechanicals II, Inc., L&M Electric, Inc.,
Unique Stone Creations, M&L General
Construction, Inc., Alpha Omega Construction
Group, Inc., and ASC Services and Supply, Inc.

Third-Party Defendants.

**RESPONDENTS' MOTION REQUESTING
EXTENSION OF TIME TO FILE INITIAL BRIEF
AND DESIGNATION OF MATTER**

Respondents, Sherman and Claudia Howell seek an Order of this Court, pursuant to Rule 240, SCACR, extending the time to file their Initial Brief and Designation of Matter in the above-captioned appeal. Respondents' Initial Brief and Designation of Matter is currently due to be filed on March 24, 2025.

Respondents request an extension of time to allow adequate time for counsel to prepare their initial brief. This request is not made for purposes of undue delay or any other improper purpose and this is the first extension of time sought by Respondents. Before filing this Motion, Respondents sought the consent of Appellants, but counsel for Appellants has not yet responded.

THEREFORE, the Respondents request an Order extending the time to file and serve the Initial Brief of Respondents and Designation of Matter for thirty (30) days, making the new deadline April 24, 2025.

Respectfully submitted,

CALLISON TIGHE & ROBINSON, LLC

s/ Ian T. Duggan

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Attorneys for Respondents

Sherman and Claudia Howell

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Construction, Inc., Alpha Omega Construction
Group, Inc., and ASC Services and Supply, Inc.

Third-Party Defendants.

PROOF OF SERVICE

I hereby certify that, on this date, the **RESPONDENTS' MOTION REQUESTING EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER** was served on all counsel of record via email delivery, as follows:

KENISON, DUDLEY & CRAWFORD, LLC

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Kimila L. Wooten, Esquire

David L. Paavola, Esquire

W. Jacob Henerey, Esquire

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Attorneys for ASC Services and Supply, Inc.

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Attorney for Caryl Mechanicals II, Inc.

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Attorney for Jenkins Plumbing Company, LLC

The undersigned certifies that the **RESPONDENTS' MOTION REQUESTING EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER** was served by U.S. Mail on the Third-Party Defendants L&M Electric, Inc. and Unique Stone Creations, addressed as follows:

L&M Electric, Inc.
Roger J. Lee, Registered Agent
7356 Williams Rd.
Flowery Branch, GA 30542

Unique Stone Creations
Cristobal Cortes, Registered Agent
319 East Houston Street
Monroe, NC 28112

I further certify that all parties required by Rule to be served have been served.

s/ Ian T. Duggan
Ian T. Duggan, SC Bar No. 80074

March 24, 2025
Columbia, South Carolina



Ian T. Duggan - Lawyer
Telephone: 803-404-6900
IanDuggan@callisontighe.com

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SC Court of Appeals

VIA EMAIL: ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Sherman and Claudia Howell vs. D.R. Horton, Inc.
Appellate Tracking No. 2024-001963
Our File No. 8835.002

Dear Ms. Kitchings:

Enclosed herewith please find the Respondents’ Motion Requesting Extension of Time to File Initial Brief and Designation of Matter, together with the Proof of Service, in the above-referenced matter. Kindly file the same and return a clocked-in copy of each to the undersigned via return email. My firm’s check in the amount of \$50.00 as the filing fee for the Motion will be hand-delivered to the Court.

The enclosed documents have been served upon Appellant’s counsel and all Third-Party Defendants today via email and first-class mail as indicated in the Proof of Service.

Please feel free to contact me with any questions. Thank you.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC

s/ Ian J. Duggan

Ian T. Duggan

ITD:kam
Enclosures

March 24, 2025

Page Two

cc: (w/ encl.)

VIA EMAIL ONLY

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Kimila L. Wooten, Esquire
David L. Paavola, Esquire
W. Jacob Henerey, Esquire
Amelia Farmer, Esquire
R. Trippett Boineau III, Esquire
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Jenkins H. Wilson, Esquire
Philip Paul Cristaldi, III, Esquire
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VIA FIRST CLASS MAIL

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Unique Stone Creations
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