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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM JASPER COUNTY

Court of Common Pleas

The Honorable Maite Murphy

Appellate Case No. 2025-001116

Mark W. McGilton,

Respondent,

v.

1223 May River Road, LLC,
D.R. Horton, Inc., and Lotty
Trucking, LLC f/k/a Ramos
Trucking, LLC,

Defendants,

of Which D.R. Horton, Inc. is the

Appellant.

1223 May River Road, LLC,

Third-Party Plaintiffs,

v.

Kenneth Scott Builders, Inc.

Third-Party Defendants.

MOTION FOR AN EXTENSION

Counsel respectfully requests a thirty-day extension to file Appellant’s Initial Brief and Designation of Matter in the above captioned matter. This request is based on the number and complexity of the legal issues in this matter and deadlines in other matters. Currently, the deadline to file Appellant’s Initial Brief and Designation of Matter is set for July 14, 2025.¹ If granted, the new deadline to file will be August 13, 2025. Counsel for Respondent Mark McGilton consents to this extension request. For these reasons, counsel requests the motion be granted and all deadlines held in abeyance until the Court rules on this motion.

s/ John T. Crawford, Jr.

John T. Crawford Jr., SC Bar No.: 69682

Kimila L. Wooten, SC Bar No.: 64516

David L. Paavola, SC Bar No.: 100714

Amelia M. Farmer, SC Bar No.: 105750

W. Jacob Henerey, SC Bar No.: 102268

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Attorneys for Appellant

July 2, 2025

¹ Appellant received the transcript in this matter on June 13, 2025, see attached **Exhibit 1** - email regarding transcript request. Therefore, the initial brief deadline—30 days later—would have been July 13, 2025. *See* Rule 208(a)(1). However, July 13 is a Sunday, which pushes the deadline to July 14, “the next day which is neither a Saturday, Sunday nor [a] holiday.” Rule 6(a), SCRPC.

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Attorneys for Kenneth Scott Builders, LLC

From: [Velvet Mills](#)
To: [David Paavola](#); [Natascha Genc](#)
Cc: [Transcripts](#)
Subject: Copy Request: McGilton vs DR Horton
Date: Friday, June 13, 2025 10:07:24 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Invoice_106861.pdf](#)
[Mark W. McGilton vs 1223 May River Road, LLC, et al REVISED.pdf](#)

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David,

Attached are the transcript and invoice for the above referenced matter. If you have any questions after the review of the transcript, please let us know. We would be happy to revisit any concerns.

Thank you,



Velvet Mills

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Defendants,

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Appellant.

1223 May River Road, LLC,

Third-Party Plaintiffs,

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Kenneth Scott Builders, Inc.

Third-Party Defendants.

PROOF OF SERVICE

The undersigned does hereby certify that on July 2, 2025, a copy of the Motion for Extension was served by email on all counsel of record as follows. A copy of the sent email is enclosed as **Exhibit 1** with this Proof of Service.

s/ John T. Crawford, Jr.

John T. Crawford Jr., SC Bar No.: 69682

Kimila L. Wooten, SC Bar No.: 64516

David L. Paavola, SC Bar No.: 100714

Amelia M. Farmer, SC Bar No.: 105750

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Cc: [John Crawford](#); [Kim Wooten](#); [David Paavola](#); [Amelia Farmer](#); [Jacob Henerey](#); [Cara Smith](#); [Jessica Barrette](#); ["Tammie Aycock"](#); [Kelly Nix](#)
Subject: RE: Mark W. McGilton v. D.R. Horton, Inc. et al (Appellate Case No. 2025-001116)
Date: Wednesday, July 2, 2025 11:05:00 AM
Attachments: [25.07.02 Motion for Extension re Initial Brief - McGilton.pdf](#)
[image001.png](#)
[EX 1 Email Receipt of Transcript - McGilton.pdf](#)

Dear Counsel:

Attached please find Appellant's revised Motion for an Extension and Exhibit regarding Mark W. McGilton v. D.R. Horton, Inc. et al. incorporating Respondent's counsel's consent to the motion. We plan on filing this in the Court of Appeals shortly.

With kindest regards,



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Sent: Wednesday, July 2, 2025 10:19 AM
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Subject: Mark W. McGilton v. D.R. Horton, Inc. et al (Appellate Case No. 2025-001116)

Dear Counsel:

Attached please find Appellant's Motion for an Extension and Exhibit regarding Mark W.

McGilton v. D.R. Horton, Inc. et al. We plan on filing this in the Court of Appeals shortly.

With kindest regards,



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