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**Sep 05 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas  
Judge Carmen T. Mullen, Circuit Court Judge

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Appellate Case No. 2025-000615  
Circuit Court Case No. 2022-CP-07-01978

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Broad Creek Development, LLC,

Appellant,

v.

Beaufort County,

Respondent.

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**APPELLANT’S FIRST MOTION FOR EXTENSION OF TIME TO FILE INITIAL  
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD**

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Appellant Broad Creek Development, LLC (“Appellant”), by and through its undersigned counsel, and with the consent of Respondent Beaufort County (“Respondent”), respectfully moves this Court, pursuant to Rules 240 and 263, SCACR, for entry of an order extending the time within which Appellant must serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal (“Designation of Matter”) by thirty (30) days, such that these filings would be due on October 20, 2025. The grounds for this motion are as follows:

1. Appellant received its final transcript in this matter on August 19, 2025. As such, the current deadline for Appellant to file its initial brief and Designation of Matter under Rules

208(a)(2) and 209(a), SCACR, is September 18, 2025.

2. Appellant seeks a 30-day extension of said deadline to allow undersigned counsel sufficient time to review the transcripts and prepare the Initial Brief, given existing professional commitments in other matters.

3. This is Appellant's first request for an extension of time within to file its Initial Brief and Designation of Matter. This request is supported by good cause and is not made in an effort to unnecessarily delay these proceedings.

4. Accordingly, Appellant respectfully requests that this Court enter an Order extending the deadline to file its Initial Brief and Designation of Matter by thirty (30) days, such that the proposed date of the new deadline is October 20, 2025.<sup>1</sup> Granting this motion would promote the interests of justice and preserve Court resources.

5. This Motion is supported by the grounds set forth herein and the South Carolina Appellate Court Rules. Undersigned counsel conferred with counsel for Respondent prior to filing the instant motion, and Respondent consents to the extension of time requested in this motion.

Respectfully submitted,

s/ Richard D. Bybee  
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*Attorneys for Appellant*

September 5, 2025

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<sup>1</sup> Pursuant to Rule 263(a), SCACR, because the thirtieth day after the current deadline falls on a Saturday (October 18, 2025), the requested extended deadline, if granted, runs until the end of the next business day, that being Monday, October 20, 2025.

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**PROOF OF SERVICE**

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I certify that Appellant Broad Creek Development, LLC's First Motion for Extension of Time to File Initial Brief and Designation of Matter To Be Included In the Record in this matter was served on the above-named Respondent by e-mailing a .pdf copy of the same to its counsel of record, on this 5<sup>th</sup> day of September, 2025, addressed to the recipient attorney's primary e-mail addresses listed in the South Carolina Attorney Information System as shown below:

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*Attorneys for Respondent Beaufort County*

Respectfully submitted,

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