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Sep 12 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Case No. 2021-CP-27-00069
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/ Ramos Trucking, LLC, Defendants,

of which

D.R. Horton, Inc., is Appellant,

AND

1223 May River Road, LLC, Third-Party Plaintiffs,

v.

Kenneth Scott Builders, Inc., Third-Party Defendants.

MOTION FOR EXTENSION

The Initial Brief of Respondent is due September 12, 2025. Pursuant to Rules 240 and 263(b), SCACR, Respondent Mark W. McGilton moves for an extension of thirty days to file and serve the Initial Brief. Appellant’s Counsel has consented to this request.

Respectfully submitted,



John S. Nichols (SC Bar# 4210)
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September 12, 2025

Attorney for the Respondent

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Jasper County Clerk of Court

Circuit Court Case No: 2021-CP-27-00069
Appellate Case No.: 2025-001116

Mark W. McGilton,.....Respondent,

vs.

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,

AND

1223 May River Road, LLC,.....Third- Party Plaintiffs,

vs.

Kenneth Scott Builders, Inc.,.....Third- Party Defendant.

PROOF OF SERVICE

I certify that I have served a copy of the Motion for Extension for the Respondent on all
counsel, by emailing a copy of the same on September 11, 2025, by address as follows:

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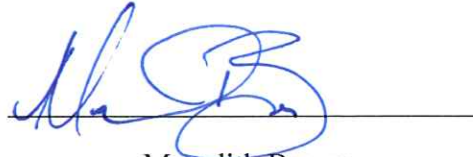
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Attorneys for Kenneth Scott Builders, LLC



Meredith Brown

Legal Assistant to John S. Nichols
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meredith@bluesteinattorneys.com

September 12, 2025

cc: John S. Nichols, Esq. (john@bluesteinattorneys.com)
Benjamin T. Shelton, Esq. (ben@sheltonlawsc.com)

Meredith Brown

From: Meredith Brown
Sent: Friday, September 12, 2025 1:30 PM
To: 'crawford@conlaw.com'; 'wooten@conlaw.com'; 'paavola@conlaw.com';
'farmer@conlaw.com'; 'henerey@conlaw.com'; 'wpj@johnsonlawoffice.com';
'jfester@johnsonlawoffice.com'; 'tdjohnson1@johnsonlawoffice.com';
'rconnor@lmlawllp.com'; 'kmims@lmlawllp.com'; 'cmcnair@lmlawllp.com';
'hgrooms@lmlawllp.com'
Cc: John Nichols; Benjamin Shelton
Subject: Case No: 2025-001116- McGilton vs. DR Horton- Motion for Extension
Attachments: 2025.09.12- Motion for Extension.pdf

Dear Counsel,

Please find enclosed for filing a Motion for Extension of the Respondent, in reference to the above matter.

Thank you,
Meredith

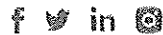


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Meredith Brown

From: Meredith Brown
Sent: Friday, September 12, 2025 1:33 PM
To: 'rconner@lmlawllp.com'
Subject: FW: Case No: 2025-001116- McGilton vs. DR Horton- Motion for Extension
Attachments: 2025.09.12- Motion for Extension.pdf

Dear Counsel,

Please see the below email. You will find the attached Motion for Extension for the Respondent, in the above referenced matter. There was a error in my typing of your email.

Thank you and apologies.

Meredith



**MEREDITH BROWN OFFICE MANAGER &
LEGAL ASSISTANT TO JOHN S. NICHOLS**

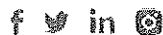
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Cc: John Nichols <john@bluesteinattorneys.com>; Benjamin Shelton <ben@sheltonlawsc.com>

Subject: Case No: 2025-001116- McGilton vs. DR Horton- Motion for Extension

Dear Counsel,

Please find enclosed for filing a Motion for Extension of the Respondent, in reference to the above matter.

Thank you,
Meredith



**MEREDITH BROWN OFFICE MANAGER &
LEGAL ASSISTANT TO JOHN S. NICHOLS**

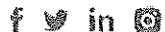
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September 12, 2025

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SC Court of Appeals

VIA EMAIL ONLY- ctappfilings@sccourts.org

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

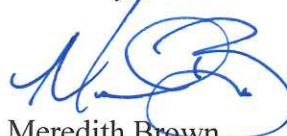
RE: Mark W. McGilton, Respondent, vs. 1223 May River Road, LLC, D.R. Horton, Inc., and Lotty Trucking, LLC f/k/a Ramos Trucking, LLC, Defendants, of which D.R. Horton, Inc. is the, Appellant, and 1223 May River Road, LLC, Third- Party Plaintiffs, vs. Kenneth Scott Builders, Inc., Third- Party Defendant.
Appellate Case No.: 2025-001116

Dear Ms. Kitchings,

Please find enclosed for filing the original Motion for Extension of the Respondent, in reference to the above matter. I have enclosed the proof of service of this document on all counsel. The \$50.00 filing fee check will be delivered within five (5) days of this letter by USPS mail.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,



Meredith Brown
Legal Assistant to John S. Nichols
Bluestein Thompson Sullivan, LLC

/mb

Enclosures

cc: John S. Nichols, Esq. (john@bluesteinattorneys.com)
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