

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

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

---

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

---

Broad Creek Development, LLC,

Appellant,

v.

Beaufort County,

Respondent.

---

**RECEIVED**  
**Nov 10 2025**  
SC Court of Appeals

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

---

Respondent, Beaufort County, (“Respondent”), by and through its undersigned counsel, and with the consent of Appellant, Broad Creek Development, LLC , (“Appellant”), respectfully moves this Court, pursuant to Rules 240 and 263, SCACR, for entry of an order extending the time within which Respondent must serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal (“Designation of Matter”) by sixty (60) days, such that these filings would be due on January 20, 2025.

The grounds for this motion are as follows:

1. Respondent received Appellant’s Initial Brief on October 20, 2025 establishing a response deadline of November 20, 2025.
2. Respondent seeks a 60-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 Respondent’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, Respondent respectfully requests that this Court to enter an Order extending the deadline to file its Initial Brief and Designation of Matter by thirty (60) days, such that the proposed date of the new deadline is January 20, 2025.
5. This Motion is supported by the grounds set forth herein and the South Carolina Appellate Court Rules. Undersigned counsel conferred with counsel for Appellant prior to filing the instant motion, and Appellant consents to the extension of time requested in this motion.

RESNICK & LOUIS, P.C.

s/Christopher L. Murphy  
Christopher L. Murphy, Esq.  
Wesley A. Southern, Esq.  
146 Fairchild Street, Suite 130  
Charleston, South Carolina 29492  
843-800-1187  
[cmurphy@rlattorneys.com](mailto:cmurphy@rlattorneys.com)  
[wsouthern@rlattorneys.com](mailto:wsouthern@rlattorneys.com)

Attorneys for Respondent Beaufort County

November 10, 2024

Charleston, South Carolina

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**  
**Nov 10 2025**  
**SC Court of Appeals**

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

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

Broad Creek Development, LLC .....Appellant,

v.

Beaufort County .....Respondent.

**PROOF OF SERVICE**

I hereby certify that I have served the Motion to Extend Time to File Initial Brief and Designation of Matter in this matter on the above-named Appellant by e-mailing a .pdf copy of the same to its counsel of record, on this 10th day of November, 2025, addressed to the recipient attorney’s primary e-mail address listed in the South Carolina Attorney Information System as shown below:

Richard D. Bybee (S.C. Bar No. 1063)  
rdb@bybeetibbals.com  
Jeffrey S. Tibbals (S.C. Bar No. 72628)  
jst@bybeetibbals.com  
BYBEE & TIBBALS, LLC  
880 Johnnie Dodds Blvd., Suite 2 (29464)  
Post Office Box 1542  
Mt. Pleasant, SC 29465  
843.881.1623  
*Attorneys for Appellant Broad Creek  
Development, LLC*

***SIGNATURE PAGE ATTACHED***

Respectfully submitted,

s/Christopher L. Murphy

Christopher L. Murphy, Esq. (S.C. Bar No.  
14184)

Wesley A. Southern, Esq. (S.C. Bar No.  
105075)

RESNICK & LOUIS, P.A.

146 Fairchild Street, Suite 130

Charleston, SC 29492

(843) 800-1187

cmurphy@rlattorneys.com

wsouthern@rlattorneys.com

*Attorneys for Respondent Beaufort County*