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Jan 21 2026

SC Court of Appeals

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.

**APPELLANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
INITIAL REPLY BRIEF**

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 file its Initial Reply Brief by fifteen (15) days. The grounds for this motion are as follows:

1. Based upon Rule 208(a), SCACR, as Respondent’s initial brief was filed and served on January 20, 2026, the current deadline for Appellant to file and serve its Initial Reply Brief is January 30, 2026.

2. Appellee requests that the deadline for filing its Initial Reply Brief be extended by fifteen (15) days.

3. Counsel for Respondent has consented to the requested extension, during a phone call on January 12, 2026 and via email correspondence.

4. Appellant has not previously requested an extension of time to file its Initial Reply Brief.

5. This request is supported by good cause. Appellant seeks a 15-day extension to allow its counsel adequate time to prepare its Initial Reply Brief. Appellant's attorneys have multiple professional commitments in the days leading up to the current deadline, and deadlines in other cases that warrant additional time to prepare the Initial Reply Brief.

6. Undersigned counsel is sponsoring and speaking at the American Law Institute's annual Eminent Domain and Land Valuation Litigation conference in Savannah, Georgia, January 21, 2026 through January 23, 2026.

7. Based on the foregoing, Appellant's counsel will not be able to complete the Initial Reply Brief by the current deadline and respectfully submits that the length of the extension requested is warranted.

8. As noted above, this is the first request for an extension of the Initial Reply Brief deadline and one to which all parties have consented.

CONCLUSION

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.

[Signature Follows]

Respectfully submitted,

s/ Jeffrey S. Tibbals

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*Attorneys for Appellant Broad Creek
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PROOF OF SERVICE

I certify that Appellant Broad Creek Development, LLC's Unopposed Motion for Extension of Time to File Initial Reply Brief 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 21st day of January 2026 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,

s/ Jeffrey S. Tibbals

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January 21, 2026

VIA E-MAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

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Jan 21 2026
SC Court of Appeals

Re: *Broad Creek Development, LLC v. Beaufort County*
Appellate Case No. 2025-000615
Filing Fee Enclosed for Appellant's Motion for Extension of Time

Dear Ms. Kitchings:

Please find enclosed, on behalf of Appellants Broad Creek Development ("Appellant"), Bybee & Tibbals, LLC's check number 1716 in the amount of \$50.00, payable to the South Carolina Court of Appeals, for payment of the filing fee for the Appellant's First Motion for Extension of Time to File Reply Brief, filed by Appellant on January 21, 2026 in the above-captioned case.

Yours Sincerely,



Jeffrey S. Tibbals, Esq.
Enclosure

cc: Christopher L. Murphy, Esq. (via e-mail only)
Wesley A Southern, Esq. (via e-mail only)