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Mar 12 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 MOTION FOR EXTENSION OF TIME TO FILE THE RECORD ON
APPEAL**

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 the Record on Appeal by thirty (30) days. The grounds for this motion are as follows:

1. Based upon the current schedule, the Record on Appeal is currently due by March 30, 2026.
2. Appellant requests that the deadline for filing the Record on Appeal be extended by thirty (30) days making the new deadline April 29, 2026.

3. Counsel for Respondent has consented to the requested extension on March 10, 2026 via email correspondence.

4. Appellant has not previously requested an extension of time to file the Record on Appeal.

5. This request is supported by good cause. Appellant seeks a 30-day extension to allow its counsel adequate time to prepare the Record. 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 Record.

6. Additionally, undersigned counsel is lead counsel in a date certain trial scheduled in Charleston County Court of Common Pleas the week of March 16, 2026.

7. Based on the foregoing, Appellant's counsel will not be able to complete the Record 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 Record on Appeal 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.

Respectfully submitted,

s/ Jeffrey S. Tibbals

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*Attorneys for Appellant Broad Creek
Development, LLC*

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PROOF OF SERVICE

I certify that Appellant Broad Creek Development, LLC's Motion for Extension of Time 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 12th day of March 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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Respectfully submitted,

s/ Jeffrey S. Tibbals

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March 12, 2026

VIA E-MAIL AND U.S. MAIL

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

**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 1761 in the amount of \$50.00, payable to the South Carolina Court of Appeals, for payment of the filing fee for the Appellant's Motion for Extension of Time to file the Record on Appeal, which was filed today 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)