

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

1st RIB
70258

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson
Circuit Court Judge

Case No.: 2012-CP-26-8652
Appellate Case No.: 2013-001178

RECEIVED

NOV 01 2013

SC Court of Appeals

TriStar Investors, Inc., Minerva Realty, LLC, and
Angeline Johnson Appellant

v.

The Horry County Council and American Towers, LLC Respondents

RESPONDENT THE HORRY COUNTY COUNCIL'S
MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER

Emma Ruth Brittain, Esquire
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(843) 692-2628
ATTORNEYS FOR RESPONDENT
HORRY COUNTY COUNCIL

October 30, 2013

11-6
12-6

Counsel for the Defendant, The Horry County Council (“Respondent”), hereby respectfully moves the Court, pursuant to Rule 240(a), SCACR, for a thirty (30) day extension of time to file the Initial Brief and Designation of Matter to be included in the Record on Appeal.

As a result of said Respondent’s counsel’s caseload and work schedule, Respondent respectfully contends that good cause exists for an extension of time to file its Initial Brief and Designation of Matter.

Wherefore, Respondent The Horry County Council contends that this appeal and the interest of justice will be served by granting said Respondent an extension of time, Respondent therefore respectfully prays the Court for an order granting this Respondent an extension of thirty (30) days to file its Initial Brief and Designation of Matter to be included in the Record on Appeal.

Accordingly, Respondent requests the Court to enter an Order enlarging the time up to and including December 6, 2013, for the Respondents to submit their Initial Brief and Designation of Matter to be included in the Record on Appeal.

Respectfully submitted,



Emma Ruth Brittain, Esquire
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ATTORNEYS FOR RESPONDENT
THE HORRY COUNTY COUNCIL

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PROOF OF SERVICE

I, Kimberly W. Nobles, legal assistant for the attorney representing Respondent
The Horry County Council, hereby certify that I have served all counsel in this action
with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by
United States Mail, postage prepaid, to the following address(es):

Pleadings:

Respondent The Horry County Council's Motion for Extension of Time to File
Initial Brief and Designation of Matter

Counsel Served:

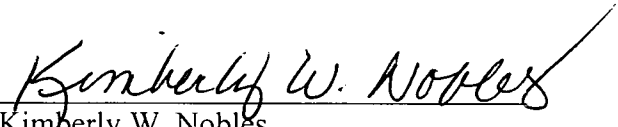
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October 30, 2013

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*CERTIFIED EMPLOYMENT
& LABOR LAW SPECIALIST

October 28, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: TriStar Investors, Inc., Minerva Realty, LLC and Angeline Johnson v.
The Horry County Council and American Towers, LLC
Civil Action No.: 2012-CP-26-8652
Appellate Case No: 2013-001178

Dear Ms. Kitchings:

Our firm represents The Horry County Council in the above-referenced matter. Please find enclosed for filing the Respondent The Horry County Council's Motion for Extension of Time to File Initial Brief and Designation of Matter in this case. Please return a clocked copy of the document to our office in the enclosed self-addressed stamped envelope.

Please do not hesitate to contact our office if you have any questions.

Sincerely yours,

THOMAS & BRITTAIN, P.A.



Emma Ruth Brittain

ERB/kwn

Enclosures

cc: Susan P. MacDonald, Esquire
Michael J. Anzelmo, Esquire
David C. Slough, Esquire
Thomas C. Brittain, Esquire
A. Preston Brittain, Esquire
Jonathan L. Yates, Esquire
Arrigo P. Carotti, Esquire, Horry County Attorney