

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable Larry B. Hyman, Jr., Circuit Court Judge

Case No. 2025-CP-26-05366

**Appellate Case No.: 2026-000666**

R. Paul Benik, Jr., Anton F. B. R. Poster, Sr., Johann M. McCrackin, Timothy J. Wentzel and Lisa D. Abrams, Nellie B. Poster, Sherry S. Weatherly, Paula W. Benik, John D. Diehl, Lisa R. Diehl, Paul H. Errickson and Linda D. Errickson, Sandra Pridgen, Jerry Steven Wilson and Dana Pridgen Wilson, Ronald K. Reynolds, Rasario Reynolds, Gene W. Euchler and Cecelia L. Euchler, Sara F. Miles, V. Scott Miles, Deanna VanNostrand, Vernon G. Miles, Sharon E. Miles, Deborah Floyd, Douglas M. Mason, Barbara A. Mason, Brooks M. Safrit, Woodrow S. Safrit, Steven Alan Spears, Sylvia McCall Spears, Natalie D. Amaradasa, Darryl C. Williams, Mary Williams, Steven P. Lombardi, Lisa A. Lombardi, Davud G. Laureles, Tracey N. Laureles, Austin Whitesell, Jessica Whitesell, Jaqueline Ann Petrisko, Robert Palmer, Linda Palmer, Charles B. Hall, Virginia G. Hall, Paige Bird, Michael C. Smith, Edwina Sekhri, Vinod Sekhri, Sonia Heydt, Vicky Jackson, Douglas R. Keefe, Ashton Lackey, William Lackey, Timothy Beauford Hudson, Victoria Ester Hudson, Matthew G. Pivarnik, Joye S. Bull, Tumpie B. Bull, Maxine Williams, Kim Ritchie, Van Raye Ritchie, William B. Burch, Sharon Burch, Ann M. Dozier, T. Guy Martin, Joshua Damon, Miriam R. Cromer and Arcadian Shores Single-Family Residential Homeowners Association, Inc.,  
..... Appellants,

v.

The Arcadian Incorporated of Myrtle Beach.....Respondent.

**APPELLANTS' NOTICE OF MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF**

Appellants hereby request a thirty (30) extension of time until May 27, 2026, or until such time the Court deems appropriate, to file the Appellants' Initial Brief. The basis for this request is

based upon the undersigned Counsel's workload, ongoing health issues, and further, Appellants' Counsel has an upcoming day certain trial on May 12, 2026.

The Initial Brief is due May 27, 2026, and if this Motion is granted, the Initial Brief will be due on May 27, 2026, or until such time as the Court designates. Appellants' Counsel submits that this Motion is not intended for purposes of delay. Upon information and belief, Counsel for the Respondent has consented to this request for an extension of time.

Respectfully submitted,

A handwritten signature in black ink, reading "Howell V. Bellamy, III", is written over a horizontal line. The signature is cursive and includes a small flourish at the end.

Howell V. Bellamy, III (S.C. Bar #66875)  
BELLAMY, RUTENBERG, COPELAND,  
EPPS, GRAVELY & BOWERS, P.A.  
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Counsel for Appellants

RECEIVED

Apr 27 2026

SC Court of Appeals

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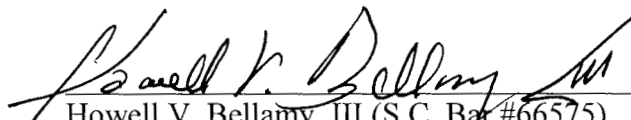
**PROOF OF SERVICE**

The undersigned, an attorney in this matter for the Appellants, certifies that I have this 27<sup>th</sup> day of April, 2026, served copies of Appellants' Motion for Extension of time to file Appellants' Initial Brief, upon counsel for the Respondent by *electronic transmission* and U.S. Mail, with sufficient postage attached, addressed to:

Dominic Starr, Esquire  
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2411 North Oak Street, Suite 401  
Myrtle Beach, SC 29577  
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**Attorneys for Respondent**



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BENJAMIN A. BAROODY + \*\* ++

\* LLM TAXATION  
\*\* LICENSED IN SC & NC  
+ CERTIFIED MEDIATOR  
++ CERTIFIED ARBITRATOR



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TELEPHONE (843) 448-2400 • FACSIMILE (843) 448-3022

April 27, 2026

**VIA FEDEX**

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

**RECEIVED**  
**Apr 27 2026**  
**SC Court of Appeals**

RE: R. Paul Benik, Jr. et al. Appellant, Case No. 2025-CP-26-05366  
Notice of Proposed Order of Continuance

Dear Ms. Kitchings:

Enclosed please find the Appellants' Notice of Motion for Extension of Time to File Initial Brief to allow the undersigned counsel thirty (30) days as of today's date to respond as preparations are underway for date certain trial taking place the week of May 12, 2026. Additionally, please find enclosed a check for \$50.00 to cover filing fees.

Should you have any questions or require any additional information, please do not hesitate to contact our office.

With kindest regards, I am

**BELLAMY, RUTENBERG, COPELAND  
EPPS, GRAVELY & BOWERS, P.A.**

s/ Howell V. Bellamy, III

Howell V. Bellamy, III (SC Bar # 66575)  
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HVBiii/tba

Enclosures

cc: Dominick A. Starr, Esquire  
J. Christopher Clark, Esquire