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May 01 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable B. Alex Hyman, Circuit Court Judge

Appellate Case No. 2026-000122

Michael Smith; Cynthia Vanaman-Setzer; and Clarence E. Frazer..... *Appellants,*

v.

The City of Myrtle Beach, South Carolina; and GD CP Properties, LLC..... *Respondents.*

**MOTION FOR EXTENSION TO FILE INITIAL BRIEF AND DESIGNATION OF
MATTER OF RESPONDENT THE CITY OF MYRTLE BEACH, SOUTH CAROLINA**

Respondent hereby requests a thirty (30) day extension of time to file its' Initial Brief and Designation of Matter for good cause shown. This request is made in light of heavy work-related time commitments and is consistent with the interests of justice and not unduly prejudicial to the Appellants.

The Initial Brief and Designation of Matter of Respondent is due May 4, 2026 and, if this request is granted, the Brief and Designation of Matter of Respondent will be due on June 4, 2026. Respondent submits that this Motion for Extension is not intended for purposes of delay.

Respectfully submitted,

BELLAMY, RUTENBERG, COPELAND,
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Myrtle Beach, SC 29578
(843)448-2400
*Attorneys for Respondent The City of Myrtle Beach,
South Carolina*

Douglas M. Zayicek, Esq. SC Bar No. 11304

Myrtle Beach, South Carolina
Dated: May 1, 2026

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PROOF OF SERVICE

I certify that I have served the Motion for Extension to File Initial Brief and Designation of Matter of Respondent The City of Myrtle Beach, South Carolina on The Honorable Jenny Abbott Kitchings of the South Carolina Court of Appeals by depositing a copy of it in the United States Mail, postage prepaid, on May 1, 2026, addressed to the Clerk of Court at Post Office Box 11629, Columbia, South Carolina 29221.

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May 1, 2026

VIA EMAIL – ctappfilings@sccourts.org
AND FIRST CLASS REGULAR MAIL

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29221

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SC Court of Appeals

Re: Michael Smith; Cynthia Vanaman-Setizer; and Clarence E. Frazer; *Appellants* v.
The City of Myrtle Beach, South Carolina; and GD CP Properties, LLC,
Respondents
APPELLATE CASE NO.: 2026-000122

Dear Ms. Kitchings:

I represent Respondent The City of Myrtle Beach, South Carolina (“Respondent”). Respondent’s Initial Brief and Designation of Matter is currently due on or before May 4, 2026. Respondent respectfully requests the deadline for submitting its Initial Brief and Designation of Matter to Appellant’s Initial Brief be extended (30) days until Thursday, June 4, 2026, based on current workload. This is Respondent’s first extension request for this Initial Brief and Designation of Matter.

May 1, 2026

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I understand a \$50.00 filing fee is required with this request, therefore, and am forwarding a check under separate cover via U.S. Mail.

Thank you for your kind consideration.

With kindest regards, I am

Yours very truly,

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

A handwritten signature in blue ink, appearing to be 'DZ', is written over the typed name of Douglas M. Zayicek.

Douglas M. Zayicek

DMZ:tr

Cc: John Leiter, Esq.
Cheryl Shoun, Esq.
Max Mazurek, Esq.