

RECEIVED

Jun 01 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2025-001505
Case No. 2025-CP-04-00328

Hubert N. Smith, Jr. and Stanley Hix, Appellants,

v.

Anderson County Planning Commission and Spano & Associates, Inc., Respondents.

**RESPONDENT ANDERSON COUNTY PLANNING COMMISSION’S SECOND MOTION
FOR EXTENSION OF TIME TO FILE INITIAL RESPONSE TO APPELLANTS’
INITIAL BRIEF**

Pursuant to Rule 263(b), SCACR, counsel for Respondent Anderson County Planning Commission hereby moves for an extension of time of one (1) day to file its initial brief in response to Appellants’ initial brief. This Court previously granted a thirty (30) day extension. The extended deadline for Anderson County Planning Commission’s initial response brief is May 29, 2026. If granted, the new deadline would be May 30, 2026. This request is based on the undersigned’s heavy workload and family demands related to graduation events. No parties to this appeal will suffer prejudice as a result of this extension.

HOLCOMBE BOMAR, P.A.

P.O. Box 1897
Spartanburg, SC 29304
(864) 594-5300

By: *s/ Todd Russell Flippin*

Todd Russell Flippin (S.C. Bar No. 101197)
*Attorneys for Respondent Anderson County
Planning Commission*

Spartanburg, South Carolina

May 29, 2026

Other Counsel of Record:

Carter R. Massingill
S.C. Bar No. 101802
cmassingill@gwblawfirm.com
Ronald G. Tate, Jr.
S.C. Bar No. 5475
rtate@gwblawfirm.com
William E. Whitney, III
S.C. Bar No. 104292
wwhitney@GWBlawfirm.com
Gallivan, White & Boyd P.A.
55 Beattie Place, Suite 1200
Greenville, SC 29601
(864) 271- 9580

James G. Carpenter
S.C. Bar No. 1136
james.carpenter@carpenterlawfirm.net
Jennifer J. Miller
S.C. Bar No. 13611
jennifer.miller@carpenterlawfirm.net
The Carpenter Law Firm, PC
819 E. North Street
Greenville, South Carolina 29601
(864) 235-1269

Attorneys for Appellants

*Attorneys for Respondents Spano & Associates,
Inc.*

RECEIVED

Jun 01 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2025-001505
Case No. 2025-CP-04-00328

Hubert N. Smith, Jr. and Stanley Hix, Appellants,

v.

Anderson County Planning Commission and Spano & Associates, Inc.,..... Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the 29th day of May, 2026, he has served counsel for Respondents with a copy of the Respondent Anderson County Planning Commission’s **SECOND MOTION FOR EXTENSION OF TIME TO FILE INITIAL RESPONSE TO APPELLANTS’ INITIAL BRIEF** by electronically mailing copies of the same to the following addresses:

Carter R. Massingill
S.C. Bar No. 101802
cmassingill@gwblawfirm.com
Ronald G. Tate, Jr.
S.C. Bar No. 5475
rtate@gwblawfirm.com
William E. Whitney, III
S.C. Bar No. 104292
wwhitney@GWBlawfirm.com

*Attorneys for Respondents Spano & Associates,
Inc.*

James G. Carpenter
S.C. Bar No. 1136
james.carpenter@carpenterlawfirm.net
Jennifer J. Miller
S.C. Bar No. 13611
jennifer.miller@carpenterlawfirm.net

Attorneys for Appellants

HOLCOMBE BOMAR, P.A.
P.O. Box 1897
Spartanburg, SC 29304
(864) 594-5300

By: *s/ Todd Russell Flippin*

Todd Russell Flippin (S.C. Bar No. 101197)
*Attorneys for Respondent Anderson County
Planning Commission*



Holcombe Bomar, P.A.

101 W. St. John Street, Suite200
Spartanburg, SC 29306
P.O. Box 1897
Spartanburg, SC 29304

Phone: (864) 594-5300
Fax: (864) 585-3844

William U. Gunn
Koger M. Bradford
William B. Darwin, Jr.
W. McElhane White
A. Todd Darwin
E. Brown Parkinson, Jr
Todd R. Flippin

tflippin@holcombebomar.com
Direct Dial: (864) 594-5323

May 29, 2026

VIA ELECTRONIC MAIL ONLY ctappfilings@sccourts.org

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

RECEIVED

Jun 01 2026

SC Court of Appeals

RE: *Hubert N. Smith, Jr. and Stanley Hix, v. Anderson County Planning Commission*
App. Case No. 2025-001505
Our File No. 18450

Dear Ms. Kitchings:

Enclosed please find for filing Respondent Anderson County Planning Commission's Second Motion for an Extension of Time to File Initial Response to Appellants' Initial Brief and Proof of Service in the above referenced matter. The \$50.00 filing check will be delivered via U.S. Mail along with a courtesy copy of this motion.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

s/ Todd Russell Flippin

Todd Russell Flippin

Enclosures

cc: Carter R. Massingill, Esq. (Via E-Mail Only - cmassingill@gwblawfirm.com)
Ronald G. Tate, Jr., Esq. (Via E-Mail Only - rtate@gwblawfirm.com)
William E. Whitney, III (Via E-Mail Only - wwhitney@GWBlawfirm.com)
James G. Carpenter, Esq. (Via E-Mail Only - jim@carpenterlawfirm.net)
Jennifer J. Miller, Esq. (Via E-Mail Only - jennifer.miller@carpenterlawfirm.net)