



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*.

CONSENT MOTION FOR STAY

Respondent, The City of Myrtle Beach, South Carolina, hereby requests a thirty (30) day stay of all deadlines and schedules, with the consent of the parties. This request is made to allow the Parties time to finalize settlement documents, is consistent with the interests of justice, and not unduly prejudicial to any Party.

The Respondent's Initial Brief and Designation of Matter of Respondent is currently due July 6, 2026, and if this request is granted, the Brief and Designation of Matter of Respondent will be due on August 6, 2026. Respondent affirms this Motion is not intended for purposes of delay, and the Parties hope to dismiss this appeal shortly.

Respectfully submitted,

I CONSENT:

LAW OFFICES OF JOHN M. LEITER,
P.A.
405 – 79TH Ave., North, Suite B
Myrtle Beach, SC 29572
(843)449-1451
*Attorneys for Appellants Michael Smith,
Cynthia Vanaman-Seitzer, and Clarence F.
Frazer*

/s/ John M. Leiter

John M. Leiter, Esq. SC Bar No. 3187

I CONSENT:

MAYNARD NEXSEN, PC
205 King Street, Suite 400
Charleston, SC 29401
(843) 720-1762
*Attorneys for Respondent GD CP Properties,
LLC*

/s/ Cheryl D. Shoun

Cheryl D. Shoun, Esq. SC Bar No. 5092
Max J. Mazurek, Esq. SC Bar No. 104827

Dated: June 26, 2026.

I CONSENT:

BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.
P.O. Box 357
Myrtle Beach, SC 29578
(843)448-2400
*Attorneys for Respondent
The City of Myrtle Beach, South Carolina*

/s/ Douglas M. Zayicek

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

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v.

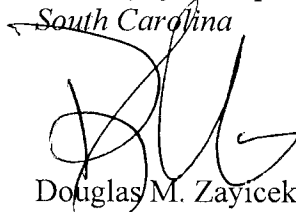
The City of Myrtle Beach, South Carolina; and GD CP Properties, LLC..... *Respondents.*

PROOF OF SERVICE

I certify that I have served the Consent Motion for Stay 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 June 26, 2026, addressed to the Clerk of Court at Post Office Box 11629, Columbia, South Carolina 29221.

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EPPS, GRAVELY & BOWERS, P.A.
P.O. Box 357
Myrtle Beach, SC 29578
(843)448-2400

*Attorneys for Respondent The City of Myrtle Beach,
South Carolina*


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MARTIN C. DAWSEY*
ROBERT S. SHELTON⁺
HOWELL V. BELLAMY, III
GEORGE W. REDMAN, III⁺ ** **
BENJAMIN A. BAROODY⁺ ****
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HAYES K. STANTON⁺ **
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LAUREN B. BENTON

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** LICENSED IN SC & NC
⁺ CERTIFIED MEDIATOR
⁺⁺ CERTIFIED ARBITRATOR



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June 26, 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"). Please find enclosed a Consent Motion for Stay which has been consented to by all parties.

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.

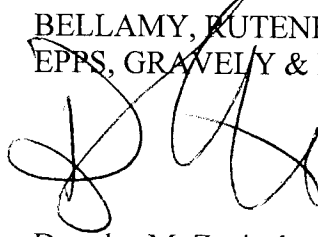
Thank you for your kind consideration.

June 26, 2026
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With kindest regards, I am

Yours very truly,

BELLAMY, RUTENBERG, COPELAND
EPFS, GRAVELLY & BOWERS, P.A.

A handwritten signature in black ink, appearing to read 'Douglas M. Zayicek', written over the printed name.

Douglas M. Zayicek

DMZ:tr

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