

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

71860

Appeal from the Court of Common Pleas
For Beaufort County
Honorable Roger L. Couch, Circuit Judge
Civil Action No.: 2008-CP-07-3018
Appellate Case No. 2013-002235

RECEIVED

APR 10 2014

SC Court of Appeals

Dockside Incorporated of Port Royal, a/k/a Dockside
of Port Royal, Inc., a South Carolina Corporation,

Respondent,

v.

The South Carolina State Ports Authority, an Agency
and/or Political Subdivision of the State of South
Carolina; Tommy Oliva and Teri Oliva,

Defendants,

Of Whom The South Carolina State Ports Authority,
an Agency and/or Political Subdivision of the State of
South Carolina is the

Appellant.

**MOTION FOR EXTENSION OF TIME IN WHICH TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER**

Stephen P. Groves, Esquire
Cheryl D. Shoun, Esquire
Wm. Chase McNair, Esquire
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206

*Attorneys for the Appellant,
The South Carolina State Ports Authority*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Appellant, The South Carolina State Ports Authority, an Agency and/or Political Subdivision of the State of South Carolina, pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant it a thirty-day (30) extension of time in which to file the SCSPA's Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeals in this matter.

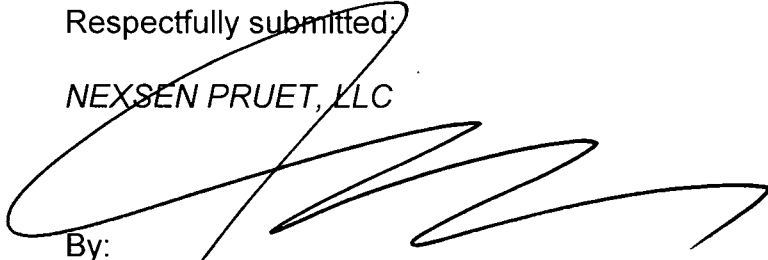
The basis for this motion is the undersigned counsel's present involvement in a number of other appellate and trial matters at this time, as well as, more importantly, the parties' continuing efforts to fully and completely resolve this matter short of having to proceed with this appeal.

Based upon the undersigned's information, the Initial Appellant's Brief and DOM are currently due to be filed on or before Friday, 18 April 2014. Consequently, anticipating this Court of Appeals' favorable reception to and subsequent grant of this extension motion, the Initial Appellant's Brief and DOM would then be due on or before Monday, **19 May 2014**, as the 30th day falls on Sunday 18 May 2014.

Finally, the SCSPA respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC



By: _____

Stephen P. Groves, Esquire
Cheryl D. Shoun, Esquire
Wm. Chase McNair, Esquire
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206
E-Mail: SGroves@nexsenpruet.com
CShoun@nexsenpruet.com
CMcNair@nexsenpruet.com

*Attorneys for the Appellant,
The South Carolina State Ports Authority*

Charleston, South Carolina

8 April 2014

NPCHAR1:1290146.1-APL-(SPG) 024000-00235

**STATE OF SOUTH CAROLINA
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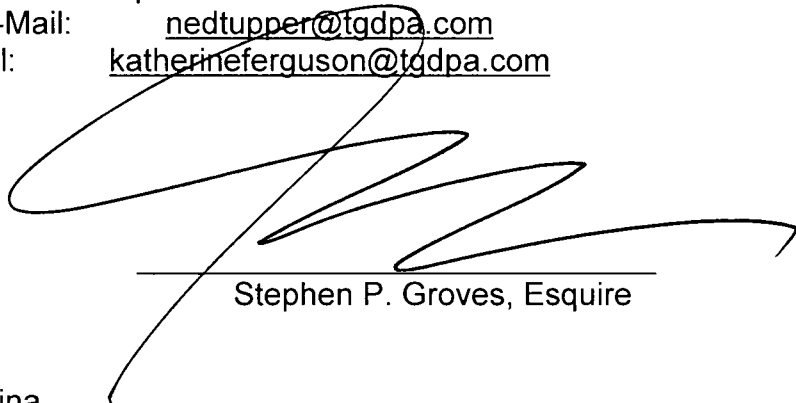
**PROOF OF SERVICE FOR THE
MOTION FOR EXTENSION OF TIME**

Stephen P. Groves, Esquire
Cheryl D. Shoun, Esquire
Wm. Chase McNair, Esquire
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206

*Attorneys for the Appellant,
The South Carolina State Ports Authority*

I, Stephen P. Groves, Esquire, hereby certify that on 8 April 2014, I served a copy of the **Motion for Extension of Time in which to File Initial Brief and Designation of Matter** submitted by the Appellant, The South Carolina State Ports Authority, an Agency and/or Political Subdivision of the State of South Carolina, on counsel for the Respondent via United States Mail, postage pre-paid, and addressed, as well as, via e-mail as follows:

Ralph E. Tupper, Esquire
Katherine G. Ferguson, Esquire
TUPPER, GRIMSLEY & DEAN, P.A.
Post Office Box 2055
Beaufort, South Carolina 29901-2055
Telephone: 843.524.1116
Telecopier: 843.524.1463
E-Mail: nedtupper@tgdpa.com
E-Mail: katherineferguson@tgdpa.com



A large, stylized handwritten signature in black ink, appearing to be 'S. Groves', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen P. Groves, Esquire

Charleston, South Carolina

8 April 2014

NPCHAR1:1290146.1-APL-(SPG) 024000-00235

8 April 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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APR 10 2014

SC Court of Appeals

Re: Dockside Incorporated of Port Royal, a/k/a Dockside of Port Royal, Inc., a South Carolina Corporation v. The South Carolina State Ports Authority, an Agency and/or Political Subdivision of the State of South Carolina

Appeal from the Beaufort County Court of Common Pleas
Case Action No.: 2008-CP-07-3018
COA Case Tracking No.: 2013-002235
NP File No.: 024000-00235

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Dear Ms. Kitchings:

Pursuant to Rules 240, SCACR, enclosed please the original and seven copies of a Motion for Extension of Time in Which to File Initial Brief and Designation of Matter in the above-referenced appellate matter filed on behalf of the Appellant, The South Carolina State Ports Authority, an Agency and/or Political Subdivision of the State of South Carolina. I also enclose the original and one copy of a Proof of Service indicating service of a copy of the Motion for Extension of Time in Which to File Initial Brief and Designation of Matter upon Ralph E. Tupper, Esquire and Katherine G. Ferguson, Esquire, as counsel for the Respondent, Dockside Incorporated of Port Royal, a/k/a Dockside of Port Royal, Inc., a South Carolina Corporation. Finally, I also enclose our firm check in the amount of \$25.00 as payment for the applicable motion filing fee set forth in Footnote 1 of Rule 240(b), SCACR.

I would appreciate your filing the Motion for Extension of Time in Which to File Initial Brief and Designation of Matter, as well as the Proof of Service, with the Court of Appeals and returning one stamped copy of each to my attention in the enclosed self-addressed stamped envelope. By copy of this letter, I am serving the Respondent's counsel with the same.

NEXSEN PRUET

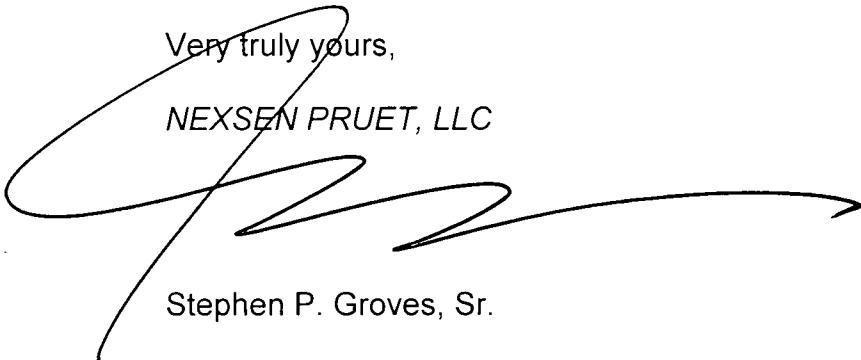
Hon. Jenny Abbott Kitchings
Clerk of Court
8 April 2014
Page 2

If you need anything else or I otherwise may be of any assistance to you regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is sgroves@nexsenpruet.com.

With kindest regards, I remain

Very truly yours,

NEXSEN PRUET, LLC



Stephen P. Groves, Sr.

SPGsr:spg

Enclosures

CCE Ralph E. Tupper, Esquire/Katherine G. Ferguson, Esquire

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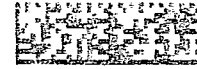
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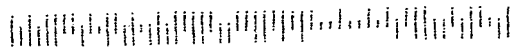
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ZIP 29401
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The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201



NEXSEN | PRUET

P. O. Box 486
Charleston SC 29402

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumner Street
Columbia, South Carolina 29201

24(000)-215 SP12

