

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE OCONEE COUNTY
Court of Common Pleas

The Honorable Alexander S. Macaulay

Appellate Case No. 2015-000392

STONELEDGE AT LAKE KEOWEE OWNERS' ASSOCIATION, INC., C. DAN CARSON, JEFFREY J. DAULER, JOAN W. DAVENPORT, MICHAEL FURNARI, DONNA FURNARI, JESSY B. GRASSO, NANCY E. GRASSO, ROBERT P. HAYES, LUCY H. HAYES, TY HIX, JENNIFER D. HIX, PAUL W. HUND, III, RUTH E. ISAAC, MICHAEL D. PLOURDE, MARY LOU PLOURDE, CAROL C. POPE, STEVEN B. TAYLOR, BETTE J. TAYLOR, AND ROBERT WHITE, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED.....RESPONDENTS

v.

IMK DEVELOPMENT CO., LLC, KEOWEE TOWNHOUSES, LLC, LUDWIG CORPORATION, LLC, SDI FUNDING, LLC, MEDALLION AT KEOWEE, LLC, INTEGRYS KEOWEE DEVELOPMENT, LLC, MARICK HOME BUILDERS, LLC, BOSTIC BROTHERS CONSTRUCTION, INC., MILLER/PLAYER & ASSOCIATES, JOHN LUDWIG, CLEAR VIEW CONSTRUCTION, LLC, MICHAEL FRANZ, MHC CONTRACTORS, MIGUEL PORRAS CHONCOAS, BUILDERS FIRST SOURCE SOUTHEAST GROUP, MIKE GREEN, SOUTHERN CONCRETE SPECIALTIES, CARL COMPTON D/B/A COMPTON ENTERPRISE A/K/A COMPTON ENTERPRISES, GUNTER HEATING & AIR, ALL PRO HEATING, A/C & REFRIGERATION, LLC, COLEMAN WATERPROOFING, HEYWARD ELECTRICAL SERVICES, INC., TINSLEY ELECTRICAL, LLC, HUTCHINSON CONSTRUCTION, INC., CARL CATOE CONSTRUCTION, INC., T.G. CONSTRUCTION, LLC, DELFINO CONSTRUCTION, FRANCISCO JAVIER ZARATE D/B/A ZARATE CONSTRUCTION, ALEJANDRO AVALOS CRUZ, HERBERTO ACROS HERNANDEZ, MARTIN HERNANDEZ-AVILES, FRANCISCO VILLALOBOS LOPEZ, AMBROSIO MARTINEZ-RAMIREZ, ESTER MORAN MENTADO, SOCORRO CASTILLO MONTEL, UPSTATE UTILITIES, INC., SOUTHERN BASEMENTS, INC., MJG CONSTRUCTION AND HOMEBUILDERS, INC. D/B/A MJG CONSTRUCTION, KMAC, INC., D/B/A KMCA NORTH CAROLINA, EUFACIO GARCIA, EVERADO JARMAMILLO, GARCIA PARRA INSULATION, INC., J&J CONSTRUCTION, JOSE NINO, JOSE MANUEL GARCIA, EASON CONSTRUCTION, INC., AND VINCENT MORALES D/B/A MORALES MASONRY, DEFENDANTS,

OF DEFENDANTS MARICK HOME BUILDERS, LLC, AND RICK THOENNES.....APPELLANTS,

RESPONDENTS' MOTION FOR EXTENSION

Pursuant to Rule 263 of South Carolina Appellate Court Rules, the Respondents' hereby move this Court to for an extension of time in which to file Respondents' Initial Brief.

Respondents have filed with the court a Motion to Consolidate Appellate Nos. 2015-000343,

2015-000392, and 2015-000417 and are awaiting an order regarding that matter. Also, Respondents have only received two (2) out of the three (3) initial briefs involving the above-mentioned appellate cases.

The Respondents ask that the Court grant this extension to thirty (30) days after the third appellant's initial brief (2015-000343) is received which will be February 3, 2016.

Respectfully submitted,

LYLES & LYLES, LLC

By: 

Robert T. Lyles, Esquire

S. C. Bar #10299

342 East Bay Street

Post Office Box 773 (29402)

Charleston, South Carolina 29401

T: 843.577.7730

F: 843.577.7172

Email: rtl@lylesfirm.com

December 31, 2015
Charleston, South Carolina

RECEIVED
JAN 04 2016
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE OCONEE COUNTY
Court of Common Pleas

The Honorable Alexander S. Macaulay

Appellate Case No. 2015-000392

STONELEDGE AT LAKE KEOWEE OWNERS' ASSOCIATION, INC., C. DAN CARSON, JEFFREY J. DAULER, JOAN W. DAVENPORT, MICHAEL FURNARI, DONNA FURNARI, JESSY B. GRASSO, NANCY E. GRASSO, ROBERT P. HAYES, LUCY H. HAYES, TY HIX, JENNIFER D. HIX, PAUL W. HUND, III, RUTH E. ISAAC, MICHAEL D. PLOURDE, MARY LOU PLOURDE, CAROL C. POPE, STEVEN B. TAYLOR, BETTE J. TAYLOR, AND ROBERT WHITE, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED.....RESPONDENTS

v.

IMK DEVELOPMENT CO., LLC, KEOWEE TOWNHOUSES, LLC, LUDWIG CORPORATION, LLC, SDI FUNDING, LLC, MEDALLION AT KEOWEE, LLC, INTEGRYS KEOWEE DEVELOPMENT, LLC, MARICK HOME BUILDERS, LLC, BOSTIC BROTHERS CONSTRUCTION, INC., MILLER/PLAYER & ASSOCIATES, JOHN LUDWIG, CLEAR VIEW CONSTRUCTION, LLC, MICHAEL FRANZ, MHC CONTRACTORS, MIGUEL PORRAS CHONCOAS, BUILDERS FIRST SOURCE SOUTHEAST GROUP, MIKE GREEN, SOUTHERN CONCRETE SPECIALTIES, CARL COMPTON D/B/A COMPTON ENTERPRIZE A/K/A COMPTON ENTERPRISES, GUNTER HEATING & AIR, ALL PRO HEATING, A/C & REFRIGERATION, LLC, COLEMAN WATERPROOFING, HEYWARD ELECTRICAL SERVICES, INC., TINSLEY ELECTRICAL, LLC, HUTCHINSON CONSTRUCTION, INC., CARL CATOE CONSTRUCTION, INC., T.G. CONSTRUCTION, LLC, DELFINO CONSTRUCTION, FRANCISCO JAVIER ZARATE D/B/A ZARATE CONSTRUCTION, ALEJANDRO AVALOS CRUZ, HERBERTO ACROS HERNANDEZ, MARTIN HERNANDEZ-AVILES, FRANCISCO VILLALOBOS LOPEZ, AMBROSIO MARTINEZ-RAMIREZ, ESTER MORAN MENTADO, SOCORRO CASTILLO MONTEL, UPSTATE UTILITIES, INC., SOUTHERN BASEMENTS, INC., MJG CONSTRUCTION AND HOMEBUILDERS, INC. D/B/A MJG CONSTRUCTION, KMAC, INC., D/B/A KMCA NORTH CAROLINA, EUFACIO GARCIA, EVERADO JARMAMILLO, GARCIA PARRA INSULATION, INC., J&J CONSTRUCTION, JOSE NINO, JOSE MANUEL GARCIA, EASON CONSTRUCTION, INC., AND VINCENT MORALES D/B/A MORALES MASONRY, DEFENDANTS,

OF DEFENDANTS MARICK HOME BUILDERS, LLC, AND RICK THOENNES.....APPELLANTS,

PROOF OF SERVICE

I certify that I have served Respondents' Motion for Extension on all counsel of record by delivering same electronically, via email, or in the alternative by depositing a copy of it in the

United States Mail, First Class postage prepaid, this 31 day of December, 2015, addressed to the following:

Jason M. Imhoff, Esquire
Carl Reed Teague, Esquire
The Ward Law Firm, P.A.
Post Office Box 5663
Spartanburg, S.C. 29304
jimhoff@wardfirm.com
rteague@wardfirm.com
*Attorneys for Marick Home
Builders, LLC & Rick Thoennes*

Alan R. Belcher, Jr.
Elizabeth Wieters, Esquire
Paul B. Trainor, Esquire
40 Calhoun Street, Suite 550
Charleston, SC 29401
Hall Booth Smith, PC
abelcher@hallboothsmith.com
ewieters@hallboothsmith.com
ptrainor@hallboothsmith.com
*Attorneys for Bostic Brothers
Construction, Inc.*

John S. Nichols, Esquire
Bluestein, Nichols, Thompson &
Delgado, LLC
PO Box 7965
Columbia, SC 29202
jsnichols@bntdlaw.com

Cynthia B. Brown, Esquire
Raymond P. Smith, Esquire
Harper Lambert & Brown, PA
PO Box 908
Greenville, SC 29602
cbrown@hlblegal.com
rsmith@hlblegal.com
*Attorneys for William Cox, IMK
Development Co., LLC, Integrays
Keowee Development, LLC,
Larry Lollis*

LYLES & LYLES, LLC

By: Brooke Trevino
Brooke Trevino
Paralegal

RECEIVED

JAN 04 2016

SC Court of Appeals

LYLES & LYLES, LLC
ATTORNEYS AT LAW
342 East Bay Street
P.O. Box 773 (29402)
Charleston, South Carolina 29401
Telephone: (843) 577-7730
Facsimile: (843) 577-7172

Robert T. Lyles
Member

(843) 577-7730
E-mail: rtl@lylesfirm.com

December 31, 2015

Via US Mail

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

Re: *Stoneledge vs. IMK Development (Marick Home Builders, LLC and Rick Thoennes)*
Appellate Case Number: 2015-000392

Dear Ms. Kitchings,

Enclosed you will please find the original and six (6) copies of Respondents' Motion for Extension, along with our firm check in the amount of \$25.00 as the filing fees for said Motion. Please cause the original and six (6) copies to be filed with the court, and return a stamped clocked copy to me in the enclosed, self-addressed and stamped envelope provided for your convenience herein.

By copy of this letter I am providing the enclosure to all counsel of record by mail as set forth in the Proof of Service included with the motion.

Thank you, and with kindest regards, I remain

Very truly yours,

LYLES & LYLES, LLC

Brooke Trevino

Brooke Trevino

/bt

Enclosures

cc: Counsel of Record

First Class Mail

LYLES & LYLES, LLC
ATTORNEYS AT LAW
342 East Bay Street
Charleston, South Carolina 29401

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



02 1P \$ 005.95⁰
0001921445 DEC 31 2015
MAILED FROM ZIP CODE 29401

RECEIVED

JAN 04 2016

SC Court of Appeals