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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

RECEIVED

R. Markley Dennis, Jr., Circuit Court Judge FEB 02 2016

SC Court of Appeals

Case No. 2015-002297

John Doe, Appellant,

v.

Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.),
S.I. Zoning Administrator, and S.I. Building Dept., Individually and in
Official Capacity, Respondents.

**MOTION FOR AN EXTENSION TO FILE AND SERVE RESPONDENTS'
INITIAL BRIEF AND DESIGNATION OF MATTER, OR IN THE
ALTERNATIVE TO FILE AND SERVE RESPONDENTS' INITIAL BRIEF
AND DESIGNATION OF MATTER OUT OF TIME**

G. Trenholm Walker (SC Bar # 5777)
John P. Linton, Jr. (SC Bar # 14065)
Pratt-Thomas Walker, P.A.
P.O. Drawer 22247
Charleston, SC 29413-2247
(843) 727-2200
Attorneys for Respondents

January 27, 2016
Charleston, South Carolina

Respondents, through their undersigned attorneys, file this Motion For an Extension to File and Serve Respondents' Initial Brief and Designation of Matter, or in the Alternative to File and Serve Respondents' Initial Brief and Designation of Matter Out of Time. This Motion is brought pursuant to Rules 240 and 263(b), SCACR.

On January 26, 2016, upon review of filings on the Court of Appeals website, Respondents' counsel became aware (for the first time) of the filing of the Initial Brief of Appellant and Designation of Matter. The Proof of Service filed by Appellant states that the Appellant's Initial Brief and Appellant's Designation of Matter were served by C. Holmes by depositing a copy in the United States Mail "addressed to the attorney of record for Respondents at 16 Charlotte St., Chas., SC 29403" on December 15, 2015. However, Appellant's Initial Brief and Designation of Matter have never been received by counsel for Respondents. Obviously, because Respondents had no notice of the filing until counsel for Respondents discovered the Initial Brief on the Court's website on January 26, 2016, Respondents could not have been expected to file and serve a response brief or counter designation of matter to be included in the appeal.

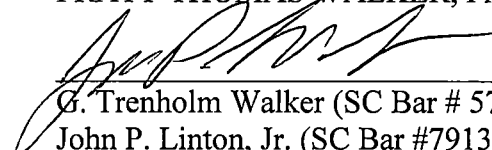
Respondents hereby request a thirty-day extension to file and serve the Respondents' Initial Brief and Designation of Matter. No prior extension has been sought or granted. Had Respondents received the Initial Brief of Appellant and Designation of matter (which they did not), Respondents' deadline to file and serve an initial brief and designation of matter would have been January 14, 2016. A thirty day (30) extension would make the new deadline Tuesday, February 16, 2016¹.

¹ The end of an extension of 30 days from January 14, 2016 is Saturday, February 13, 2016. Monday, February 15, 2016 is Presidents day.

In the alternative, Respondents request to File and Serve Respondents' Initial Brief and Designation of Matter Out of Time, on or before Tuesday, February 16, 2016.

Respectfully Submitted,

PRATT-THOMAS WALKER, PA



G. Trenholm Walker (SC Bar # 5777)
John P. Linton, Jr. (SC Bar #79130)
P.O. Drawer 22247 (29413-2247)
16 Charlotte Street
Charleston, SC 29403
Phone: (843) 727-2200

January 27, 2016
Charleston, South Carolina

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In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
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R. Markley Dennis, Jr., Circuit Court Judge

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SC Court of Appeals

John Doe, Appellant,


v.

Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.), S.I.
Zoning Administrator, and S.I. Building Dept., Individually and in
Official Capacity, Respondents.

PROOF OF SERVICE

I certify that I served Respondents' Motion For an Extension to File and Serve Respondents' Initial Brief and Designation of Matter, or in the Alternative to File and Serve Respondents' Initial Brief and Designation of Matter Out of Time via United States Mail, First Class, prepaid, to the Appellant at the address below on January 27, 2016:

John Doe
Cynthia Holmes
P.O. Box 187
Sullivan's Island, SC 29482


Christine Morrow
Paralegal

PRATT-THOMAS | WALKER

ATTORNEYS AT LAW
PROFESSIONAL ASSOCIATION

16 CHARLOTTE STREET
CHARLESTON, SC 29403

PO DRAWER 22247
CHARLESTON, SC 29413-2247

PHONE: 843.727.2200
FAX: 843.727.2238

WWW.P-TW.COM

JOHN P. LINTON, JR.

Email: jpl@p-tw.com

Direct: (843) 727-2252

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FEB 02 2016

SC Court of Appeals

January 27, 2016

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: John Doe, Appellant, v. Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.), S.I. Zoning Administrator, and S.I. Building Dept., Individually and in Official Capacity, Respondents
Appellate Case No. 2015-002297

Dear Ms. Kitchings:

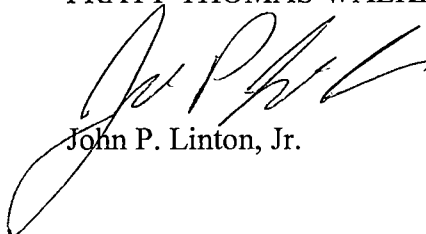
We represent the Respondents in the above captioned matter. Enclosed please find the original and six copies of the Motion For an Extension to File and Serve Respondents' Initial Brief and Designation of Matter, or in the Alternative to File and Serve Respondents' Initial Brief and Designation of Matter Out of Time. Respondents did not receive copies of the Appellant's Initial Brief and the Appellant's Designation of Matter and only became aware of the documents upon review of the filings on the Court of Appeals website yesterday (January 26, 2016).

The Proof of Service filed with the Court of Appeals is dated December 15, 2015 and was filed on December 29, 2015, which, had Respondents received it, would make Respondents' Initial Brief and Designation of Matter due January 14, 2016. In the enclosed motion, Respondents respectfully request a thirty (30) extension to serve the Respondents' Initial Brief and Designation of Matter. Because of the President's Day holiday, the due date would be February 16, 2016.

Also enclosed are a Proof of Service and our firm check for the motion fee.

Thank you for your consideration.

Sincerely,
PRATT-THOMAS WALKER, P.A.



John P. Linton, Jr.

JPL/cam
Enclosures
C: John Doe (w/encl.)
Cynthia Holmes
P.O. Box 187
Sullivan's Island, SC 29482


PRATT-THOMAS | WALKER

ATTORNEYS AT LAW
PROFESSIONAL ASSOCIATION

16 CHARLOTTE STREET
CHARLESTON, SC 29403

PO DRAWER 22247
CHARLESTON, SC 29413-2247



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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
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