

18703

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Appellate Case No. 2015-002199

RECEIVED
FEB 16 2016
SC Court of Appeals

Faye P. Croft, Personally and as Trustee of the James A. Croft Trust; James A. Croft Trust; William A. Harbeson; Heyward G. Hutson; James Stephen Greene, Jr., South Carolina Public Interest Foundation; Summerville Preservation Society; and Dorchester County Taxpayers Association, individually, and on behalf of all others similarly situated Appellants,

v.

Town of Summerville and Town of Summerville Board of Architectural Review....Respondents.

MOTION FOR EXTENSION

Appellants respectfully request a further 30-day extension of the deadline for filing and serving Appellants' Initial Brief. This is Appellants' second request for an extension of this deadline. Respondents do not oppose this request.

The current deadline is February 22, 2016, and the new deadline would be March 24, 2016. In support of this motion, Appellants show the following:

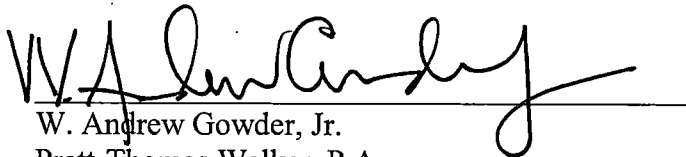
1. The Board of Architectural Review record on appeal is over 1,000 pages long.
2. The issues are novel and complex.
3. Most of the Appellants are parties in a related lawsuit in Circuit Court with the Respondents. In that case, two motions for partial summary judgment were heard on

January 19, 2016, and are pending decision from the Circuit Court. A decision on those cases could lead to settlement of that lawsuit and this related BAR appeal.

4. This Motion is made in good faith and not for the purpose of delay.

WHEREFORE, the Appellants respectfully move the Court to extend the time within which to file the Initial Brief up to and including March 24, 2016.

Respectfully submitted,



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ATTORNEYS FOR THE APPELLANTS

Charleston, SC
February 12, 2016

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

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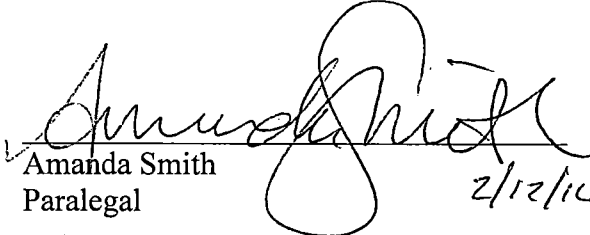
Town of Summerville and Town of Summerville Board of Architectural Review Respondent.

PROOF OF SERVICE

I certify that on the date indicated below, I served Appellants' Second Motion for Extension to file and serve Appellants' Initial Brief, by depositing a copy of it in the United States Mail, postage paid, on February 12, 2016, addressed to all attorneys of record as follows:

Timothy A. Domin
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Amanda Smith
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February 12, 2016

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

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Re: Faye P. Croft, et al v. Town of Summerville, et al
Appellate Case No.: 2015-002199
PTW No.: 7754.001

Dear Ms. Kitchings,

Enclosed please find the Respondents' Second Request for an Extension in the above-referenced matter. I have enclosed a \$25.00 check for the filing fee, along with 7 copies of the motion. Please return one copy in the pre-addressed envelope enclosed.

In the event you have any questions, please do not hesitate to contact our office.

With kindest regards,
PRATT-THOMAS WALKER



W. Andrew Gowder, Jr.

WAG/abs
Enclosures

cc: G. Waring Parker, Esq.
Timothy A. Domin, Esq.

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