

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Judge

Case No. 2013-CP-10-3251

RECEIVED

JUN 24 2016

SC Court of Appeals

Rosemary Connelly,

Respondent,

v.

Winsor Custom Homes, LLC,

Appellant.

**MOTION TO ALLOW EXTENSION REQUEST OUT OF TIME
AND MOTION FOR EXTENSION**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Russell G. Hines (SC Bar No. 72100)
P.O. Box 993
Charleston, SC 29402
(843) 720-5488
Attorneys for Appellant
Winsor Custom Homes, LLC

COMES NOW Appellant Windsor Custom Homes, LLC, by and through its undersigned counsel, and, pursuant to Rule 263, SCACR, moves for relief as set forth below.

As stated in Appellant's counsel's letter of May 27, 2016, Appellant received the transcript of the trial of this matter on May 23, 2016, making Appellant's initial brief and designation of matter to be included in the record on appeal due yesterday, June 22, 2016. *See* Rule 208(a)(1), SCACR; 209(a), SCACR.

Through inadvertence, the June 22, 2016, deadline was not calendared, an error which the undersigned discovered late this afternoon. In an effort to prepare this motion and send it to the Court as soon as possible, the undersigned has not yet had an opportunity to consult with Respondent's counsel. Nonetheless, the undersigned humbly submits that there is good cause to grant this motion—and, thereby, allow Appellant to request a 30-day extension of the June 22nd briefing/designation deadline out of time—because the requested relief is consistent with the interests of justice and the state's policy in favor of deciding cases on their merits and it will not work any undue prejudice upon Respondent.

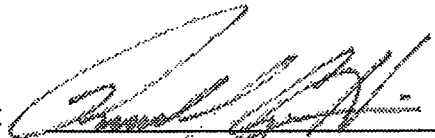
WHEREFORE, Appellant moves that it be allowed make this out-of-time request for a 30-day extension of time to file/serve its initial brief and

designation of matter to be included in the record on appeal and that the Court extend such deadline 30 days beyond yesterday's date, i.e., 30 days past June 22, 2016, so that the new deadline for filing/serving Appellant's initial brief and designation will be July 22, 2016.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By:



Stephen L. Brown (SC Bar No. 66468)

Russell G. Hines (SC Bar No. 72100)

P.O. Box 993

Charleston, SC 29402

(843) 720-5488

Attorneys for Appellant

Winsor Custom Homes, LLC

Charleston, South Carolina

Dated: 6/23/16

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PROOF OF SERVICE

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Russell G. Hines (SC Bar No. 72100)
P.O. Box 993
Charleston, SC 29402
(843) 720-5488
Attorneys for Appellant
Winsor Custom Homes, LLC

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellant Winsor Custom Homes, LLC, hereby certify that Appellant's **MOTION TO ALLOW EXTENSION REQUEST OUT OF TIME AND MOTION FOR EXTENSION** was served on Respondent Rosemary Connelly on June 23, 2016, by depositing a copy of the same in the United States Mail, with sufficient postage, addressed as indicated follows to her counsel:

Gruenloh Law Firm
Wm. M. Gruenloh, Esquire
Patrick Aulton Chisum, Esquire
Brian R. Holmes, Esquire
192 East Bay Street, Suite 202
Charleston, SC 29401

and

Christy Ford Allen, Esquire
John A. Massalon, Esquire
P.O. Box 859
Charleston, SC 29402

Attorneys of Respondent

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

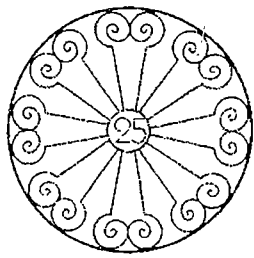
Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellant

Winsor Custom Homes, LLC

Charleston, South Carolina

Dated: 6/23/16



YCR LAW

Young Clement Rivers, LLP

All Business, Insurance, Real Estate and Regulatory Matters
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Commercial Real Estate • Commercial Transactions
Community Association Law • Construction Law
Employment and Labor Law • Health Care • Insurance Coverage
Products Liability • Professional Liability • Retail Liability
Special Task Litigation • Tax, Estate Planning and Probate
Trucking and Transportation • Workers' Compensation

THE FOLLOWING PAGES ARE FOR IMMEDIATE DELIVERY

To: 18037341839
From: kbarnes@ycrlaw.com
Date: June 23, 04:45:08 PM EDT
Subj: Connelly v. Winsor; 2016-000419
Pages: 8

Dear Ms. Kitchings,

Attached please find correspondence in the above-referenced matter. The originals have been placed in the mail. Please do not hesitate to let us know if you have any questions or concerns.

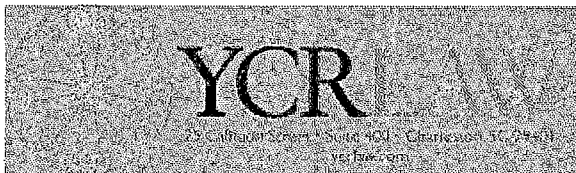
Thank you!

Katy B. Barnes
Commercial Litigation Secretary
Stephen L. Brown, Russell G. Hines & Joanna B. Stroud
Young Clement Rivers, L.L.P.
25 Calhoun Street, Suite 400
Charleston, SC 29401
Telephone: (843) 724-6610
Facsimile: (843) 579-1369

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SC Court of Appeals



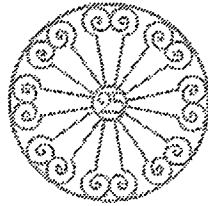
Charleston Office
25 Calhoun Street, Suite 400 * Charleston, SC 29401
P.O. Box 993 * Charleston, SC 29402-0993

TELEPHONE: (843) 577-4000
WEBSITE: www.ycrlaw.com

Young Clement Rivers, LLP
<http://www.ycrlaw.com>
Charleston: (843) 577-4000

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YCR LAW
Young Clement Rivers, LLP

Kathleen B. Barnes
Secretary

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1369
E-mail: kbarnes@ycrlaw.com

June 23, 2016

VIA US MAIL AND FACSIMILE
Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JUN 24 2016

SC Court of Appeals

Re: Rosemary Connolly v. Winsor Custom Homes, LLC
Appellate Case No.: 2016-000419
Case No.: 2013-ep-10-03251
Claim No.: CPP001009129
YCR File: 10857-20130494

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion to Allow Extension Request Out of Time and Motion for Extension, the original and one (1) copy of the Proof of Service and our firm's check in the amount of \$25.00.

Please file the original and return a court-stamped copy to me in the envelope provided.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes
Secretary

Enclosures

cc: Patrick Aulton Chisum, Esquire, Gruenloh Law Firm
William M. Gruenloh, Esquire, Gruenloh Law Firm
Brian R. Holmes, Esquire, Gruenloh Law Firm
Christy Ford Allen, Esquire, Wills Massalon & Allen, LLC
John A. Massalon, Esquire, Wills Massalon & Allen, LLC