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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-In-Equity

RECEIVED

JUL 28 2016

SC Court of Appeals

Civil Action No. 2007-CP-07-3212
Appellate Case No.: 2016-001277

H. Marshall Hoyler.....Appellant,

v.

The State of South Carolina, Merry Land Properties, LLC,
Sherbert Living Trust, Supan Living Trust, Elizabeth R. Levin,
Edward McCray Wise Revoc. Living Trust,
Carol Ann Devries Wise Revoc. Living Trust,
Amelie Cromer, Philip Cromer, Robert Chiavello, Tocharoen Living Trust,
Helen M. Olesak, Lesley Anne Glick a/k/a Lesley Anne Gilck,
Shirley G. Lackey, Patricia Banfield, Bertrand Cooper, Jr.,
NHP SH South Carolina I, LLC n/k/a CCP Bayview 7176 LLC,
Oyster Cove Homeowners Assn., Shirley Ann Moyer,
Barry D. Malphrus, Garry D. Malphrus, Donnie Malphrus,
Rita Brown, Houston Family Partnership, Joan Taylor Trustee,
Michael Bull, Nancy Bull, Marny H. VonHarten, Dianne M. Donaldson,
Brian R. Evans, Stephen Durbin, Valerie Durbin, Phillip Marti,
Jane Marti, Michael Woodworth, Georgiana M. Cooke, Daniel B. Walsh,
Janet E. Walsh.....Respondents.

APPELLANT'S MOTION FOR AN EXTENSION OF TIME TO FILE RETURN

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ORIGINAL



MOTION FOR AN EXTENSION OF TIME TO FILE
APPELLANT'S RETURN TO RESPONDENT, MERRY LAND PROPERTIES,
LLC, MOTION TO DISMISS APPEAL

Please consider:

- Appellant, H. Marshall Hoyler's Return to Respondent, Merry Land Properties, LLC's Motion to Dismiss Appeal, is due to be filed with this Court on Monday, August 1, 2016.
- Respondent Merry Land's Motion to Dismiss this Appeal with Exhibits is (i) over **85 pages in length** (ii) contains **39 footnotes**.
- Respondent Merry Land's counsel served its Motion and Exhibits on July 21, 2016, by U.S. Mail and it was not received by Appellant's counsel until July 25, 2016. That means that four days of Appellant's counsel's 10 days to Return to the Respondent's 85 page Motion had elapsed by the date of our receipt of the same.
- Appellant's Initial Brief and Designation of Matter, in this same Appeal, are due on August 17, 2016, after this Court's Order granting an extension, until that date. Accordingly, counsel will be working on Appellant's Initial Brief and Designation of Matter at the same time Appellant's counsel will be returning to this Motion.

Based on the foregoing, Appellant's counsel respectfully requests an extension of time to Return to Respondent Merry Land Properties, LLC's Motion to Dismiss, until and including Wednesday, August 10, 2016.

CONCLUSION

Based on the grounds set forth hereinabove, counsel respectfully moves this Court to grant Appellant's Motion for an extension of time to file the Return to Respondent, Merry Land Properties, LLC's Motion to Dismiss Appeal, until and including Wednesday, August 10, 2016.

[Signature Page Follows]


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July 28, 2016
Columbia, South Carolina

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Janet E. Walsh.....Respondents.

PROOF OF SERVICE

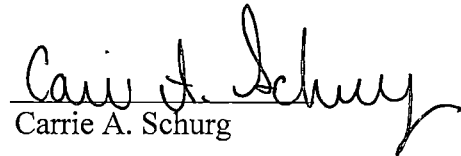
I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have caused Appellant's Motion for an Extension of Time, and this Proof of Service, to be served via U.S. Mail, on July 28, 2016, as addressed below.

ORIGINAL

Proof of Service
July 28, 2016
Page 2 of 2

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Carrie A. Schurg

July 28, 2016
Columbia, South Carolina