

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM Horry County
Court of Common Pleas

The Honorable Larry B. Hyman, Jr.
Circuit Court Judge

RECEIVED

AUG 10 2016

SC Court of Appeals

APPELLATE CASE NO. 2015-001868

SKYDIVE MYRTLE BEACH, INC. Appellant

v.

Horry County Respondent

**MOTION TO THE COURT OF APPEALS FOR JOINT EXTENSION (SECOND)
TO FILE BOUND RECORDS ON APPEAL AND FINAL BRIEF OF
APPELLANT AND FINAL REPLY BRIEF OF APPELLANT AND
APPELLANT'S REQUEST TO AMEND ITS RECORD ON APPEAL PURSUANT
TO RULE 221, SCACR**

COMES NOW THE Appellant Skydive Myrtle Beach, Inc. and Respondent Horry County, who by and through their undersigned counsel would move this Honorable Court for a Joint (second) twenty (20) day extension to file and serve the bound records on appeal and the Final Brief of Appellant and Final Reply Brief of Appellant. Appellant also requests, pursuant to Rule 221, SCACR, to amend its Record on Appeal, filed on July 8, 2016.

Robert B. Varnado
Robert B. Varnado
BROWN & VARNADO LLC
P.O. Box 1127
Mount Pleasant, South Carolina 29465
Attorney for Appellants

Robert B. Varnado
for Michael W. Battle, Esquire *at peram via email 8.9.16*
Battle Law Firm
P.O. Box 530
Conway, South Carolina 29528
Arrigo P. Carotti, Esquire
Horry County Attorney
1301 2nd Avenue
Conway, SC 29526
Attorneys for Respondent

August 9, 2016

Kat Garvin

From: Kat Garvin
Sent: Tuesday, August 09, 2016 3:59 PM
To: 'Mike Battle'
Subject: RE: Skydive
Attachments: Second Joint Motion for Extension - 20 days.docx

My apologies. I thought you were also seeking an extension. Please see the attached.

Katharina (Kat) Garvin
Litigation Paralegal

From: Mike Battle [mailto:MBattle@battlelawsc.com]
Sent: Tuesday, August 09, 2016 3:25 PM
To: Kat Garvin <kgarvin@brown-varnado.com>
Subject: RE: Skydive

You have permission to sign my name to the motion. However, FINAL REPLY BRIEF OF RESPONDENT is not correct. It should be FINAL REPLY BRIEF OF APPELLANT. Please correct before you submit. Thanks. Mike Battle

Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communications or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.

MICHAEL W. BATTLE
BATTLE LAW FIRM, LLC
P.O. BOX 530
1200 MAIN STREET
CONWAY, SOUTH CAROLINA 29528
(843)248-4321
mbattle@battlelawsc.com

From: Kat Garvin [mailto:kgarvin@brown-varnado.com]
Sent: Tuesday, August 09, 2016 1:51 PM
To: Mike Battle
Subject: Skydive

Mr. Battle -

Attached please find a Second Joint Motion for Extension and our Request to Amend the ROA in the above matter. Please let me know if it meets with your approval and if we have permission to sign on your behalf. Thank you

Katharina (Kat) Garvin
Litigation Paralegal

Brown & Varnado, LLC

103 Church Street (29464)
P. O. Box 1127
Mt. Pleasant, SC 29465
843-737-7300 (Office)
843-737-7300(Direct Dial)
843-654-5109 (Fax)
kgarvin@brown-varnado.com

CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the IRS, we inform you that any US Federal Tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the internal revenue code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. This advice may not be forwarded (other than within the taxpayer to which it has been sent) without our express written consent

PRIVILEGE AND CONFIDENTIALITY NOTICE: This communication (including any attachments) is being sent by or on behalf of a lawyer or law firm and may contain confidential or legally privileged information. The sender does not intend to waive any privilege, including the attorney-client privilege, that may attach to this communication. If you are not the intended recipient, you are not authorized to intercept, read, print, retain, copy, forward or disseminate this communication. If you have received this communication in error, please notify the sender immediately by email and delete this communication and all copies.

BROWN & VARNADO LLC
 GENERAL OPERATING ACCOUNT
 103 CHURCH STREET
 MOUNT PLEASANT, SC 29464
 843-737-7300

FIRST RELIANCE BANK
 Lexington, SC 29072
 www.firstreliance.com
 67-800-532

8/8/2016

PAY TO THE ORDER OF: South Carolina Court of Appeals

\$ **25.00

Twenty-Five and 00/100

DOLLARS

South Carolina Court of Appeals

MEMO
 FILE 6247



AUTHORIZED SIGNATURE

⑈006193⑈ ⑆053208008⑆04100006691⑈

BROWN & VARNADO LLC OPERATING ACCOUNT

6193

South Carolina Court of Appeals

8/8/2016

Consent Motion for Extension

25.00

RECEIVED

AUG 10 2016

SC Court of Appeals

First Reliance Operati FILE 6247

25.00

Security features. Details on back.

**BROWN &
VARNADO** LLC
ATTORNEYS AT LAW

103 CHURCH STREET (29464)
POST OFFICE BOX 1127
MT. PLEASANT, SC 29465
OFFICE: (843) 737-7300
FACSIMILE: (843) 654-5109

KATHARINA F. GARVIN
DIRECT: (843) 737-7300
EMAIL: kgarvin@brown-varnado.com

August 9, 2016

Via US Mail & Facsimile

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201
Fax No.: 803-734-1839

RE: Skydive Myrtle Beach, Inc. v. Horry County
Appellate Case No.: 2015-001868
Our File No.: 6247 - 1

Dear Ms. Abbott Kitchings:

This firm represents the Appellant Skydive Myrtle Beach, Inc. (Appellant) in the above referenced matter. Appellants and Respondents respectfully submit a **Joint (second) Motion requesting a twenty (20) day extension to file and serve the bound records on appeal and the Final Brief of Appellant and Final Reply Brief of Appellant and Appellant's Request to Amend its Record on Appeal Pursuant to Rule 221, SCACR.** Our firm's check in the amount of \$25.00 is enclosed for the required filing fee.

Should you have any questions or require anything additional, please do not hesitate to contact me.

Thank you and with kindest regards, I remain

Very truly yours,

BROWN & VARNADO, LLC


Katharina F. Garvin

/kfg

Enclosure(s): as stated

cc: Arrigo P. Carotti, Esquire (via US Mail & Email)
Michael W. Battle, Esquire (via US Mail & Email)

RECEIVED

AUG 10 2016

SC Court of Appeals

FAX COVER SHEET

To: The Honorable Jenny Abbott Kitchings

From: Kat Garvin

Company: SC Court of Appeals

Company: Brown & Varnado

Fax: 8037341839

Phone: 843-737-7300

Date: 8/9/2016

Pages w/cover: 6

Subject:

A9RC3D0.tmp

Comments:

Appellate Case No. 2015-001868
 Attached please find a Second Joint Motion for a 20 day extension to file and serve the bound records on appeal and the Final Brief of Appellant and Final Reply Brief, and Appellant's Request to Amend its Record on Appeal Pursuant to Rule 221, SCACR.
 Please contact me with any questions or concerns and please let me know at your earliest opportunity, the status of the Motion.
 Thank you.

RECEIVED
 AUG 10 2016
 SC Court of Appeals