

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

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Appeal from Charleston County  
Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

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Case No. 2015-CP-10-3566

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RECEIVED

AUG 29 2016

SC Court of Appeals

Randy Skelton and Penelope Skelton,

Respondents,

v.

Summerville Plaza, LLC, Bi-Lo, LLC and  
Bi-Lo, Inc.,

Defendants,

Of Whom Bi-Lo, LLC and Bi-Lo, Inc.,

Appellants.

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**MOTION FOR ADDITIONAL EXTENSION OF ONE DAY'S TIME  
TO FILE/SERVE RETURN TO MOTION TO DISMISS**

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YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown  
Duke R. Highfield  
Jeffrey J. Wiseman  
Russell G. Hines  
William O. Sweeny, IV  
Post Office Box 993  
Charleston, South Carolina 29402  
(843) 720-5488  
*Attorneys for the Appellants*

✓

COME NOW the Appellants Bi-Lo, LLC and Bi-Lo, Inc., by and through their undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, hereby move this Honorable Court to allow it until Tuesday, August 30, 2016, i.e., one (1) day from today, to file/serve its Return to the Motion to Dismiss.

1. By order of August 23, 2016, the Court granted Appellants a second extension of its Return to the Motion to Dismiss, establishing a deadline of today, Monday, August 29, 2016.


2. Appellants' counsel is certainly aware of the language in the Court's prior order that further extension of the Return to the Motion to Dismiss deadline would have to be occasioned by extraordinary circumstances, and this motion is not made lightly.

3. On account of work-related and other time commitments, including an initial briefing deadline of today, August 29, 2016 before this Court in another appeal, and having recently missed a week in the office on account of a family summer vacation, the undersigned finds himself in need of additional time to prepare Appellants' Return to the Motion to Dismiss and humbly requests that the Court allow the modest dispensation requested herein under the circumstances.

4. Counsel respectfully submits the requested relief is consistent with the interests of justice and will not work any undue prejudice upon Respondent.

WHEREFORE, Appellants respectfully request that this Honorable Court allow them through Tuesday, August 30, 2016 to file/serve their return to the motion to dismiss. Further, Appellants respectfully request that the Court hold its present return to the motion to dismiss deadline in abeyance until it acts upon this motion.

YOUNG CLEMENT RIVERS, LLP

By:   
Stephen L. Brown  
Duke R. Highfield  
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William O. Sweeny, IV  
Post Office Box 993, Charleston, SC 29402  
(843) 720-5488  
*Attorneys for the Appellants*

Charleston, South Carolina

Dated: 8/29/16

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Summerville Plaza, LLC, Bi-Lo, LLC and  
Bi-Lo, Inc.,

Defendants,

Of Whom Bi-Lo, LLC and Bi-Lo, Inc. are,

Appellants.

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown  
Duke R. Highfield  
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Post Office Box 993  
Charleston, South Carolina 29402  
(843) 720-5488  
*Attorneys for the Appellants*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for the Appellants above named, do hereby certify that I have served the **Motion for Additional Extension of One Day's Time to File/Serve Return to Motion to Dismiss** on the above-named Respondent by depositing a copy of the same in the United States Mail, postage prepaid, on August 29, 2016, addressed as follows to all counsel of record:

Paul E. Tinkler, Esquire  
Law Office of Paul E. Tinkler  
P.O. Box 366  
Charleston, SC 29402

Matthew E. Yelverton, Esquire  
Yelverton Law Firm, LLC  
155 King Street, 2nd Floor  
Charleston, SC 29401

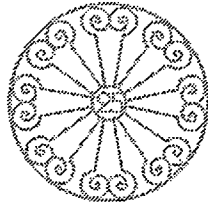
Cameron G. Boggs, Esquire  
The Boggs Law Firm  
Post Office Box 65  
Greenville, SC 29602

YOUNG CLEMENT RIVERS, LLP

By:   
Russell G. Hines

Charleston, South Carolina

Dated: 8/29/16



**YCR LAW**  
Young Clement Rivers, LLP

Russell G. Hines  
Partner

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August 29, 2016

**RECEIVED**

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**SC Court of Appeals**

**VIA US MAIL AND FACSIMILE**

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Randy Skelton and Penelope Skelton v. Summerville Plaza, LLC; BI-LO, LLC;  
and BI-LO, Inc,  
Appellate Case No. 2016-001486  
Case No.: 2015-CP-10-3566  
Claim No.: Cln.: 2155422 001  
Date of Loss: 12/17/2009  
YCR File: 903-20120985

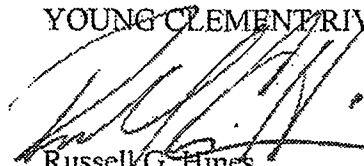
Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the original and seven (7) copies of the *Motion for Additional Extension of One Day's Time to File/Serve Return to Motion to Dismiss* and the original and one (1) copy of the *Proof of Service* regarding the same. Also enclosed is a firm check in the amount of \$25.00 to cover the cost associated with this filing.

Kindly file the originals and return one (1) court-stamped copy to me using the pre-stamped envelope provided. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP



Russell G. Hines  
Partner

RGH/amj  
Enclosures

cc: Matthew E. Yelverton, Esquire, Yelverton Law Firm, LLC  
Cameron G. Boggs, Esquire, The Boggs Law Firm  
Paul E. Tinkler, Esquire, Law Offices of Paul E. Tinkler

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