

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM HORRY COUNTY
Court of Common Pleas

SEP 21 2016

SC Court of Appeals

Benjamin H. Culbertson, Circuit Court Judge

Case No.: 2009-CP-26-3596
Consolidated With
Case No.: 2010-CP-26-11320
Appellate No.: 2016-001063

Ronald Jarmuth, *Pro Se* Appellant,

v.

The International Club Homeowners
Association, Inc., Respondents.

RESPONDENT'S MOTION FOR ENLARGEMENT OF TIME

The Respondent, The International Club Homeowners Association, Inc., (hereinafter "Association"), hereby moves before this Honorable Court for an enlargement of time, pursuant to South Carolina Appellate Court Rules, Rule 240, within which to file its initial brief after the Motion to Dismiss served on September 6, 2016 and filed on September 7, 2016 is ruled upon by this Court. The Appellant, Ronald Jarmuth ("Jarmuth"), argued in his Return to the Association's Motion to Dismiss that the Motion to Dismiss was not served on or before the deadline of September 1, 2016 for its initial

reply brief under Rule 208, SCACR, and accordingly, the deadline was not stayed under Rule 240, SCACR.

Jarmuth's certificate of service reflects that he filed and served the Association on Tuesday, August 2, 2016 with his initial brief by first class mail; the Association received his brief on Friday, August 5, 2016. The east coast of South Carolina experienced extreme weather from late September 1, 2016 through September 3, 2016 due to tropical storm Hermine. McNair Law Firm, P.A.'s offices were closed early on September 2, 2016 and were closed on September 5, 2016 in order to observe Labor Day. Due to the weather and the observance of a federal holiday, the Association did not serve its Motion to Dismiss until September 6, 2016.

The Association has not previously requested, nor been granted, an extension for any purpose throughout this appeal process.

WHEREFORE, having fully set before this Court the grounds for this motion, if the Association's Motion to Dismiss is denied, the Association moves for an Order granting an enlargement of time of twenty (20) days to file its initial brief under Rule 208, SCACR, from the date that this Court denies the Motion to Dismiss.

SIGNATURE BLOCK – NEXT PAGE

Respectfully submitted,



McNAIR LAW FIRM, P.A.
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2411 Oak Street, Suite 206
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(843) 444-1107

Attorneys for Respondent
The International Club Homeowners
Association, Inc.

Myrtle Beach, South Carolina
Date: September 9, 2016

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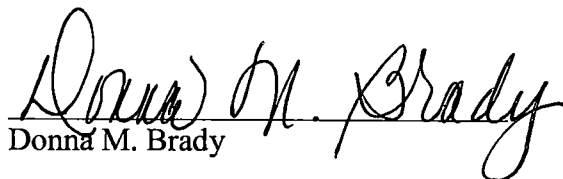
The International Club Homeowners
Association, Inc., Respondent.

PROOF OF SERVICE

I, Donna M. Brady, an employee of McNair Law Firm, P.A., certify that I have served the Respondent's Motion for Enlargement of Time, and Proof of Service on all parties to this matter by depositing a copy in the United States Mail, first class postage prepaid on the 19th day of September, 2016.

Pro Se Appellant of Record:

Ronald Jarmuth
249 Pickering Drive
Murrells Inlet, SC 29576


Donna M. Brady

Myrtle Beach, South Carolina
1308179v1

MCNAIR
ATTORNEYS

Alicia Thompson

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September 19, 2016

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

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SC Court of Appeals

RE: *Ronald Jarmuth v. International Club HOA, Inc.*
Appellate Case No.: 2016-001063
Civil Action Nos.: 2009-CP-26-3596 and 2010-CP-26-11320
Our File No.: 051490.00001

Dear Ms. Kitchings:

With regard to the above matter, enclosed for filing with the Court, please find the following:

- Original (unbound) and seven copies of the Respondent's Reply to Appellant's Opposition to Respondent's Motion to Dismiss Appeal; and
- Proof of Service;
- Original (unbound) and seven copies of Respondent's Motion for Enlargement of Time;
- Check for \$25.00 filing fee; and
- Proof of Service.

By copy of this letter to parties of record, and as shown on the Proof of Service, I hereby serve a copy of the aforementioned documents to the parties of record.

Please return to me one clocked copy of the enclosed documents in the enclosed self-addressed envelope.

Sincerely,

McNair Law Firm, P.A.



Alicia Thompson

McNair Law Firm, P. A.
Founders Centre
2411 Oak Street, Suite 206
Myrtle Beach, SC 29577

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AT/dmb

Enclosures

cc: Ronald Jarmuth
Clients

A. Thompson
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ATTORNEYS

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The Honorable Jenny Abbott Kitchings
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