

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

Appeal from Horry County  
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2011-CP-26-08314

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MAR 06 2017

**SC Court of Appeals**

Chester S. Hejna and Mary Ann Henja, Individually and  
Representing as a class, All Unit Owners of Magnolia  
North Horizontal Regime as that class is defined below,

Respondents,

v.

Heritage Communities, Inc., Heritage Magnolia North, Inc.  
and Buildstar Corporation,

Appellants.

**MOTION FOR EXTENSION OF TIME TO  
FILE / SERVE RECORD ON APPEAL**

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*Attorneys for Appellants*



TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COME NOW Appellants Heritage Communities, Inc., Heritage Magnolia North, Inc., and Buildstar Corporation by and through their undersigned counsel; pursuant to Rule 263(b), SCACR; and, on the grounds stated below, hereby move this Honorable Court for an extension of thirty (30) days' time to file and serve the record on appeal in this matter.

Appellants served and filed their initial reply brief on February 1, 2017; consequently, the deadline for Appellants to serve the record on appeal is March 3, 2017, the thirtieth (30<sup>th</sup>) day after service of their initial reply brief. Rule 210(a), SCACR ("within thirty (30) days after service of the last brief, the appellant shall serve a copy of the Record on Appeal on each party who has served a brief."); *see also* Rule 263(a), SCACR (regarding computation of time).


On account of other time commitments, both work and health related, the undersigned requests an extension of thirty (30) days' time to file and serve the record on appeal and submits that this request is founded upon good cause, is consistent with the interests of justice, and will not work any undue prejudice upon Respondents.

WHEREFORE, Appellants respectfully request that this Honorable Court grant them an extension of thirty (30) days' time, running from the present March 3, 2017, deadline, i.e., an extension through Monday, April 3, 2017, to file and serve the record on appeal in this matter. Further, Appellants respectfully request that the Court hold in abeyance Appellants' present deadline for serving the record on appeal until the Court acts on the instant motion.

*[Signature on next page]*

Respectfully Submitted,

YOUNG CLEMENT RIVERS LLP

By: 

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*Attorneys for the Appellants*

Charleston, South Carolina

Dated: March 02, 2017

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County  
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

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**PROOF OF SERVICE**

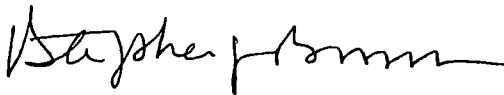
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mwillis@ycrlaw.com  
*Attorneys for Appellants*

I, Stephen L. Brown, of Young Clement Rivers, LLP, counsel for the Appellants above-named, do hereby certify that I have served the **Motion for Extension of Time to File / Serve Record on Appeal** on the above-named Respondents by depositing a copy of the same in the United States Mail, postage prepaid, on March <sup>2</sup>~~1~~, 2017, addressed as follows to all counsel of record:

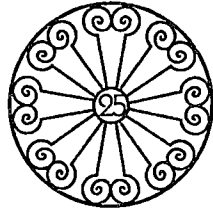
Philip C. Thompson, Esquire  
John P. Henry, Esquire  
Thompson & Henry, PA  
P.O. Box 1740  
Conway, SC 29528-1740

YOUNG CLEMENT RIVERS, LLP

By:   
Stephen L. Brown

Charleston, South Carolina

Dated: March 02, 2017



# YCR LAW

Kathleen B. Barnes  
Secretary

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

March 2, 2017

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

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MAR 06 2017

**SC Court of Appeals**

Re: Chester S. Hejna and Mary Ann Henja, Individually and Representing as a Class,  
All Unit Owners of Magnolia North Horizontal Regime as That Class is Defined  
Below, v. Heritage Communities, Inc., Heritage Magnolia North, Inc. and  
Buildstar Corporation

Case No.: 2011-CP-26-8314

Claim No.: H0465752001

YCR File: 1952-20061504

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion for Extension of Time to File/Service Record on Appeal and the original and one (1) copy of the Proof of Service for the same. I am also enclosing our firm's check in the amount of \$25.00. Please file the originals and return a court-stamped copy of each document to me in the enclosed envelope.

With best wishes and kindest regards, I am

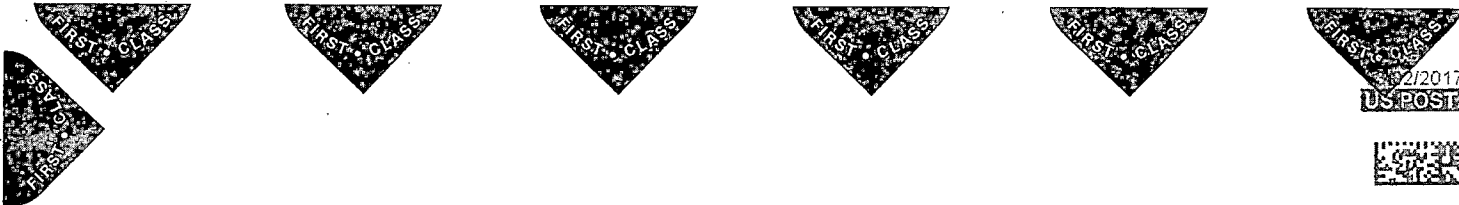
Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes  
Secretary

Enclosures

Cc: Philip C. Thompson, Esquire, Thompson & Henry, P.A. (via US Mail and email)  
John P. Henry, Esquire, Thompson & Henry, P.A. (via US Mail and email)



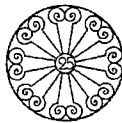
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