

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

Appeal from Charleston County
Court of Common Pleas

Stephanie P. McDonald, Circuit Court Judge

Opinion No. 5442 (S.C. Ct. App. filed September 28, 2016)

Otha Delaney,

Petitioner,

v.

First Financial of Charleston, Inc.,

Respondent.

**RESPONDENT'S MOTION FOR EXTENSION OF TIME
TO SERVE/FILE RETURN TO PETITION FOR WRIT OF CERTIORARI**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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Perry M. Buckner, IV (SC Bar No. 100031)
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(843) 720-5488

*Counsel for Respondent,
First Financial of Charleston, Inc.*

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APR 24 2017

S.C. SUPREME COURT

Respondent, First Financial of Charleston, Inc., by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and on the grounds set forth below, hereby moves this Honorable Court for an extension of ten (10) days' time to serve/file its return to the petition for a writ of certiorari in this matter:

1. Petitioner, Otha Delaney, served the petition on March 20, 2017; therefore, the deadline for Respondent's return is today, April 19, 2017, pursuant to Rule 242(f), SCACR (providing that a return shall be served/filed within thirty (30) days after service of the petition).


2. On account of work-related and other time commitments, Respondent respectfully requests that this deadline be extended by 10 days, i.e., through Monday, May 1, 2017.¹

3. Respectfully, Respondent submits that the grant of such relief is supported by good cause, is consistent with the interests of justice, and will not work any undue prejudice upon Petitioner. Respondent further submits that it is consistent with the Court's order of July 16, 2014, *RE: Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals*.

¹ Calculating the 10-day period (from today, April 19, 2017) in accordance with Rule 263(a), SCACR, it runs until Monday, May 1, 2017, because the 10th day is Saturday, April 29, 2017.

WHEREFORE, Respondent moves for an extension of 10 days' time (from today, April 19, 2017) to serve/file its return to the petition for a writ of certiorari. With the requested extension, the new deadline for serving/filing its return would be May 1, 2017, according to the undersigned's calculations. Further, Respondent respectfully requests that the Court hold this matter in abeyance until it acts upon this motion.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

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*Counsel for Respondent,
First Financial of Charleston, Inc.*

Charleston, South Carolina

Dated: 4/19/17

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PROOF OF SERVICE

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I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent, First Financial of Charleston, Inc., hereby certify that the **RESPONDENT'S MOTION FOR EXTENSION OF TIME TO SERVE/FILE RETURN TO PETITION FOR WRIT OF CERTIORARI** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on April 19, 2017, properly posted for delivery to the following addressees:

Philip L. Fairbanks, Esquire
1214 King Street
Beaufort, SC 29902

-and-

Frederick M. Corley
1214 King Street
Beaufort, SC 29902

Counsel for Petitioner, Otha Delaney

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: _____



Russell G. Hines (SC Bar No. 72100)

*Counsel for Respondent,
First Financial of Charleston, Inc.*

Charleston, South Carolina

Dated: 4/19/17