

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

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MAY 05 2017

Appeal from Charleston County  
Court of Common Pleas

**S.C. SUPREME COURT**

Stephanie P. McDonald, Circuit Court Judge

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

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Otha Delaney,

Petitioner,

v.

First Financial of Charleston, Inc.,

Respondent.

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

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YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Russell G. Hines (SC Bar No. 72100)  
Perry M. Buckner, IV (SC Bar No. 100031)  
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(843) 720-5488

*Counsel for Respondent*

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 a second 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 initial deadline for Respondent's return was 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. Previously, on account of work-related and other time commitments, Respondent requested that the initial deadline for its return be extended by 10 days, i.e., through Monday, May 1, 2017.<sup>1</sup> The Court granted the request by order filed April 24, 2017; thus, today, Monday, May 1, 2017, is presently the deadline for Respondent's return.

3. Again on account of work-related and other time commitments, Respondent respectfully requests that the deadline for its return be extended by 10 days, i.e., through Thursday, May 11, 2017.

4. Respectfully, Respondent submits that the grant of such relief is

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<sup>1</sup> Calculating the 10-day period (from April 19, 2017) in accordance with Rule 263(a), SCACR, it ran until today, Monday, May 1, 2017, because the 10<sup>th</sup> day was Saturday, April 29, 2017.

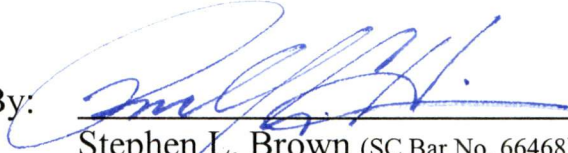
supported by good cause, is consistent with the interests of justice, and will not work any undue prejudice upon Petitioner. Respondent further submits that it is consistent with the Court's order of July 16, 2014, *RE: Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision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

WHEREFORE, Respondent moves for a second extension of 10 days' time (from today, May 1, 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 11, 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.

**<SIGNED ON THE FOLLOWING PAGE>**

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By:



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*Counsel for Respondent*

Charleston, South Carolina

Dated: 5/1/17

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**PROOF OF SERVICE**

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*Counsel for Respondent*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent, First Financial of Charleston, Inc., hereby certify that the **RESPONDENT'S SECOND 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 May 1, 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*

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By:   
\_\_\_\_\_  
Russell G. Hines (SC Bar No. 72100)  
*Counsel for Respondent*

Charleston, South Carolina

Dated: 5/1/17