

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

Appeal from Charleston County  
Court of Common Pleas

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

Appellate Case No. 2016-001486  
Trial Court Case No. 2015-CP-10-3566

**RECEIVED**

MAY 08 2017

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., are,

Appellants.

**APPELLANTS' SECOND MOTION FOR EXTENSION  
OF TIME TO SERVE/FILE INITIAL REPLY BRIEF**

YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Duke R. Highfield (SC Bar No. 64224)  
Jeffrey J. Wiseman (SC Bar No. 73121)  
Russell G. Hines (SC Bar No. 72100)  
William O. Sweeny IV (SC Bar No. 79829)  
Mary S. Willis (SC Bar No. 102411)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Attorneys for Appellants  
BI-LO, LLC, and BI-LO, Inc.*

J

NOW COME Appellants, BI-LO, LLC, and BI-LO, Inc., by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the following grounds, hereby move this Honorable Court for a second extension of ten (10) days' time to serve and file their initial reply brief (and any corresponding designation of matter to be included in the record on appeal):

1. Presently, by order of this Court filed April 28, 2017, the deadline for Appellant's initial reply brief is May 4, 2017.

2. In light of other time commitments, the undersigned respectfully requests that Appellants' deadline for serving/filing their initial reply brief be extended by 10 days from today, i.e., through May 15, 2017<sup>1</sup>.

3. Respectfully, Appellants believe this relief 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 10 days' time to serve and file their initial reply brief (and any corresponding designation of matter to be included in the record on appeal). With the extension requested herein, the new deadline for serving/filing Appellants' initial reply brief would be May 15, 2017, according to the undersigned's calculations. Further, Appellants respectfully request that the Court

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<sup>1</sup> Calculating the 10-day period (from today, May 4, 2017) in accordance with Rule 263(a), SCACR, it runs until Monday, May 15, 2017, because the 10<sup>th</sup> day is Sunday, May 14, 2017.

hold Appellants' present initial-reply-brief deadline in abeyance until it acts upon this motion.

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)  
Duke R. Highfield (SC Bar No. 64224)  
Jeffrey J. Wiseman (SC Bar No. 73121)  
Russell G. Hines (SC Bar No. 72100)  
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***Counsel for Appellants  
BI-LO, LLC, and BI-LO, Inc.***

Charleston, South Carolina

Dated: 5/4/17

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**PROOF OF SERVICE**

YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Duke R. Highfield (SC Bar No. 64224)  
Jeffrey J. Wiseman (SC Bar No. 73121)  
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*Attorneys for Appellants  
BI-LO, LLC, and BI-LO, Inc.*

I, Russell G. Hines, of Young Clement Rivers, LLP, attorneys for Appellants above named, hereby certify that the **APPELLANTS' SECOND MOTION FOR EXTENSION OF TIME TO SERVE/FILE INITIAL REPLY BRIEF** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on May 4, 2017, properly posted for delivery to the following addressees:

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

*and*

Cameron G. Boggs, Esquire  
The Boggs Law Firm  
P.O. Box 65  
Greenville, SC 29602

*and*

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

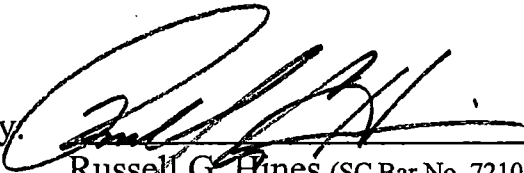
*Attorneys for Respondents*  
*Randy Skelton and Penelope Skelton*

K. Michael Barfield, Esquire  
D. Summers Clarke, II, Esquire  
Barnwell Whaley Patterson & Helms  
P.O. Drawer H  
Charleston, SC 29402

*Attorney for Defendant*  
*Summerville Plaza, LLC*

<**SIGNED ON THE FOLLOWING PAGE**>

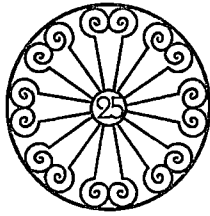
Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By:   
\_\_\_\_\_  
Russell G. Hines (SC Bar No. 72100)

*Attorneys for Appellants*  
*BI-LO, LLC, and BI-LO, Inc.*

Charleston, South Carolina

Dated: 5/4/17



# YCR LAW

Kathleen B. Barnes  
Secretary

Direct Dial: (843) 720-5488  
Direct Fax: (843) 579-1369  
E-mail: kbarnes@ycrlaw.com

May 4, 2017

**VIA US MAIL AND FASCIMILE**

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.: Cin.: 2155422 001  
Date of Loss: 12/17/2009  
YCR File: 903-20120985

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Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Appellants' Second Motion for Extension of Time to Serve/File Initial Reply Brief, the original and one (1) copy of the Proof of Service for the same and our firm's check in the amount of \$25.00 to cover the filing fee. Please file the originals and return a court-stamped copy of each document in the stamped envelope provided.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes  
Secretary

Enclosure

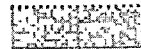
(all via US Mail and email)

cc: Matthew E. Yelverton, Esquire, Yelverton Law Firm, LLC  
D. Summers Clarke, II, Esquire, Barnwell Whaley Patterson & Helms, LLC  
K. Michael Barfield, Esquire, Barnwell Whaley Patterson & Helms  
Cameron G. Boggs, Esquire, The Boggs Law Firm  
Paul E. Tinkler, Esquire, Law Offices of Paul E. Tinkler



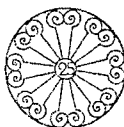
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**YCR LAW**  
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