

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2013-CP-10-3326  
Appellate Case No.: 2017-000474

RECEIVED

JUN 20 2017

SC Court of Appeals

Ex Parte: Liberty Mutual Fire Insurance Company,.....Appellant.

v.

In re: Waverly at Hamlin Plantation Townhome  
Association, Inc.,.....Respondent,

v.

John Wieland Homes and Neighborhoods of the  
Carolinas, Inc. as Successor by Statutory Merger to John  
Wieland Homes and Neighborhoods of South Carolina,  
Inc., John Wieland Homes of Charleston, Inc., John  
Wieland Homes, Inc., Builders Support Services of the  
Carolinas, Inc. and Wheelock Street Capital, LLC d/b/a  
John Wieland Homes and Neighborhoods, Inc.,..... Respondents,

and

John Wieland Homes and Neighborhoods of the  
Carolinas, Inc. as Successor by Statutory Merger to John  
Wieland Homes and Neighborhoods of South Carolina,  
Inc., John Wieland Homes of Charleston, Inc., John  
Wieland Homes, Inc., Builders Support Services of the  
Carolinas, Inc., ..... Respondents,

v.

Barr Construction, Inc., Benjamin Mora d/b/a Mora  
Construction, a/k/a Benjamin Mora Construction, LLC,  
Builders FirstSource, Inc., a/k/a Builders FirstSource-  
Southeast Group, LLC a/k/a Builders FirstSource-



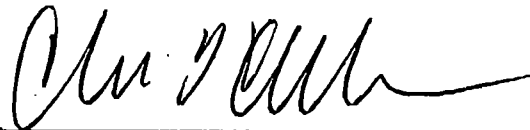
Atlantic Group, LLC, DBC Construction Services, LLC,  
 Eli, Inc., Gerardo Rosette Sanchez a/k/a GR Painting,  
 Jorge Medina, Jorge Medina a/k/a JMC Construction,  
 LLC a/k/a JMC Construction, Inc., Jesus Mora a/k/a J.  
 Mora Brick & Block Mason, LLC, Juan Luis Sanchez,  
 Juan Luis Sanchez a/k/a Sanchez Brothers Painting,  
 Latitude Construction Services, LLC, The Muhler  
 Company, Inc., Paul M. Vazquez, Richard Ditullio,  
 Richard Ditullio a/k/a RDT Contracting, LLC, ..... Respondents,

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**RESPONDENTS' FIRST MOTION FOR EXTENSION**

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NOW COMES counsel for Respondents, John Wieland Homes and Neighborhoods of the Carolinas, Inc., as Successor by Statutory Merger to John Wieland Homes and Neighborhoods of South Carolina, Inc., John Wieland Homes of Charleston, Inc., John Wieland Homes, Inc., and Builders Support Services of the Carolinas, Inc., and moves this Honorable Court to grant an extension of time of thirty (30) days beyond the thirty (30) days as made applicable by Rules 208 and 209 of the South Carolina Appellate Court Rules to file their Initial Brief and Designation of Matter to be Included in the Record on Appeal with the Clerk of Appellate Court. This is Respondents' first request for an extension of time and the current deadline has yet to expire. Counsel for Appellant Liberty Mutual Insurance Co. has consented to the extension.




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 Christy Ford Allen (SC Bar #15649)  
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**ATTORNEYS FOR RESPONDENTS  
 JOHN WIELAND HOMES AND  
 NEIGHBORHOODS OF THE CAROLINAS,  
 INC., AS SUCCESSOR BY STATUTORY  
 MERGER TO JOHN WIELAND HOMES AND  
 NEIGHBORHOODS OF SOUTH CAROLINA,  
 INC., JOHN WIELAND HOMES OF**

**CHARLESTON, INC., JOHN WIELAND  
HOMES, INC., AND BUILDERS SUPPORT  
SERVICES OF THE CAROLINAS, INC.**

CHARLESTON, SC

June 20, 2017

THE STATE OF SOUTH CAROLINA  
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Wieland Homes, Inc., Builders Support Services of the  
Carolinas, Inc. and Wheelock Street Capital, LLC d/b/a  
John Wieland Homes and Neighborhoods, Inc., ..... Respondents,

and

John Wieland Homes and Neighborhoods of the  
Carolinas, Inc. as Successor by Statutory Merger to John  
Wieland Homes and Neighborhoods of South Carolina,  
Inc., John Wieland Homes of Charleston, Inc., John  
Wieland Homes, Inc., Builders Support Services of the  
Carolinas, Inc., ..... Respondents,

v.

Barr Construction, Inc., Benjamin Mora d/b/a Mora  
Construction, a/k/a Benjamin Mora Construction, LLC,  
Builders FirstSource, Inc., a/k/a Builders FirstSource-  
Southeast Group, LLC a/k/a Builders FirstSource-

Atlantic Group, LLC, DBC Construction Services, LLC,  
 Eli, Inc., Gerardo Rosette Sanchez a/k/a GR Painting,  
 Jorge Medina, Jorge Medina a/k/a JMC Construction,  
 LLC a/k/a JMC Construction, Inc., Jesus Mora a/k/a J.  
 Mora Brick & Block Mason, LLC, Juan Luis Sanchez,  
 Juan Luis Sanchez a/k/a Sanchez Brothers Painting,  
 Latitude Construction Services, LLC, The Muhler  
 Company, Inc., Paul M. Vazquez, Richard Ditullio,  
 Richard Ditullio a/k/a RDT Contracting, LLC, ..... Respondents,

---

**PROOF OF SERVICE**

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I certify that I have served Respondents' Motion for Extension by depositing a copy of it in the United States Mail, postage prepaid on June 20, 2017 addressed to the following:

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*Pro Se*



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**ATTORNEYS FOR RESPONDENTS  
JOHN WIELAND HOMES AND  
NEIGHBORHOODS OF THE CAROLINAS,  
INC., AS SUCCESSOR BY STATUTORY  
MERGER TO JOHN WIELAND HOMES AND  
NEIGHBORHOODS OF SOUTH CAROLINA,  
INC., JOHN WIELAND HOMES OF  
CHARLESTON, INC., JOHN WIELAND  
HOMES, INC., BUILDERS SUPPORT  
SERVICES OF THE CAROLINAS, INC.**

CHARLESTON, SC

June 20, 2017

Jun. 20. 2017 12:52PM

No. 0748 P. 11

**Wills Massalon & Allen LLC**  
Operating Account  
Post Office Box 889  
Charleston, South Carolina 29402  
(843) 727-1144

**BANK OF NORTH CAROLINA**  
66-1203/531

8959

06/20/2017

PAY TO THE ORDER OF South Carolina Court of Appeals

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Twenty-five and 00/100\*\*\*\*\*

DOLLARS

South Carolina Court of Appeals

PROTECTED AGAINST FRAUD

MEMO

Appellate Case #2017-000474

*[Signature]*

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Wills Massalon & Allen LLC

8959

06/20/2017

South Carolina Court of Appeals

Court Filing Fee: Motion for Extension

25.00

2048-1

**RECEIVED**

JUN 20 2017

SC Court of Appeals

Bank of NC- Operating

Appellate Case #2017-000474

25.00



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**FACSIMILE**

TO: The Honorable Jenny Abbott Kitchings  
 Clerk of Court, SC Court of Appeals

FAX NO.: (803) 734-1839

FROM: Charline Barrasso, Paralegal to Christy F. Allen

DATE: June 20, 2017

RE: Waverly at Hamlin Plantation Townhome Association v. John Wieland  
 Homes and Neighborhoods of the Carolinas, et al.

APPELLATE CASE NO.: 2017-00474  
 OUR FILE NO.: 2046-1

**RECEIVED**  
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 SC Court of Appeals

Number of pages including this cover page: 11

**Comments:**

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# WMA

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June 20, 2017

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**VIA FACSIMILE AND U.S. MAIL**

**RECEIVED**

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

JUN 20 2017

SC Court of Appeals

RE: Waverly at Hamlin Plantation Townhome Association v. John Wieland Homes and Neighborhoods of the Carolinas. et al.  
Civil Action No.: 2013-CP-10-03326  
Appellate Case No.: 2017-00474  
Our File No.: 2048-1

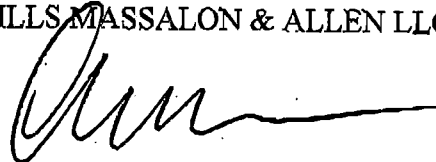
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Motion for Extension and Proof of Service in regard to the above-referenced matter. In addition, please find Wills Massalon & Allen LLC's check in the amount of \$25.00 representing the filing fee. Please return one (1) file-stamped copy of the Motion and Proof of Service to me in the self-addressed, stamped envelope provided. If you have any questions, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

WILLS MASSALON & ALLEN LLC



Christy Ford Allen  
[callen@wmalawfirm.net](mailto:callen@wmalawfirm.net)

CFA/cb  
Enclosures

cc: (via U.S. Mail only):  
C. Mitchell Brown, Esquire

The Honorable Jenny Abbott Kitchings  
June 20, 2017  
Page 2

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