

84573

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY
COURT OF COMMON PLEAS

HONORABLE MARVIN H. DUKES, III, MASTER IN EQUITY
AND SPECIAL CIRCUIT COURT JUDGE

RECEIVED

SEP 18 2017

SC Court of Appeals

CASE NO.: 2013-CP-07-02066

CAROLINA CENTER BUILDING CORP.,

Appellant,

vs.

ENMARK STATIONS, INC. AND
THE TOWN OF HILTON HEAD ISLAND,

Respondents.

NOTICE OF MOTION AND MOTION FOR
EXTENSION OF TIME TO FILE APPELLANTS' INITIAL BRIEF
AND DESIGNATION OF MATTER TO BE INCLUDED
IN RECORD ON APPEAL

The Appellant would respectfully request an extension of time within which to file the Initial Brief of the Appellant and the Appellant's Designation of Matter to be Included in the Record on Appeal. These matters were due to be filed no later than September 15, 2017. As a result of Hurricane Irma Beaufort County was under a voluntary evacuation and a mandatory evacuation for Fripp Island, which is the undersigned's residence. In light of the foregoing, our office closed Friday, September 8, 2017 and did not open until Wednesday, September 13, 2017.

The transcript of record was requested prior to filing the Notice of Appeal and has been received. It is accordingly respectfully requested that the Appellant be granted an extension of

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time in which to file the Initial Brief and Designation of Matters to be Included in the Record on Appeal until October 15, 2017.

This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondents.

It is accordingly respectfully requested that the Appellant be granted until October 15, 2017 to file the Appellant's Initial Brief and the Appellant's Designation of Matter to be Included in the Record on Appeal.

MOSS, KUHN & FLEMING, P.A.

By: 

H. Fred Kuhn, Jr.
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(843)524-3373
(843)524-1302- FX

Beaufort, South Carolina
September 15, 2017

Attorneys for Appellants

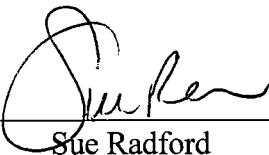
CERTIFICATE OF SERVICE

Undersigned certifies that to the Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in Record on Appeal to which this certificate is affixed, was served upon the party (s) to this action by hand delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

Russell P. Patterson
Russell Patterson, P.A.
Post Office Box 8047
Hilton Head Island, South Carolina 29938

Gregory M. Alford, Esquire
Alford Law Firm
Post Office Drawer 8008
Hilton Head Island, South Carolina 29938

in a post office or official depository under the exclusive care and custody of the United States Postal Service, on September 15, 2017.

By: 
Sue Radford

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SC Court of Appeals

LAW OFFICES

MOSS, KUHN & FLEMING P.A.

JAMES H. MOSS
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*ALSO MEMBER OF GA BAR

September 15, 2017

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Carolina Center Building Corp. v. Enmark Stations, Inc. and Town of Hilton Head Island
Case No.: 2013-CP-07-02066


Dear Mrs. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in Record on Appeal regarding the above-referenced matter along with my firms check in the amount of \$25.00 for the filing of the same. I would appreciate your returning one (1) filed copy to me in the enclosed self-addressed stamped envelope. By copy of this letter I am serving a copy of this motion on Russell P. Patterson, Esquire and Gregory M. Alford, Esquire.

With kindest regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.

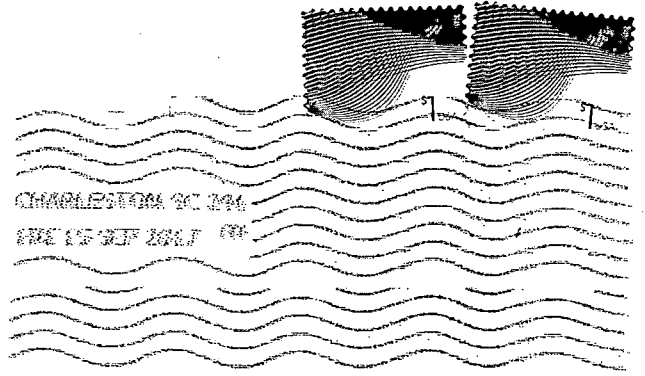
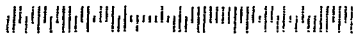

H. Fred Kuhn, Jr.
HFKjr:sr
Enclosures

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SEP 18 2017

SC Court of Appeals

cc: Russell P. Patterson, Esquire (w/enclosure)
Gregory M. Alford, Esquire (w/enclosure)



MOSS, KUHN & FLEMING, P.A.

MP

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W. Swain

To:

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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Columbia, South Carolina 29211

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