

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

Appeal from Charleston County
Court of Common Pleas

Jean Hoefer Toal, Circuit Court Judge

Case No. 2016-CP-10-01833

Appellate Case No. 2017-001270

RECEIVED
NOV 01 2017
SC Court of Appeals

Andrew and Kimberly McIntire,

Appellants,

v.

Sequest Development Company, Inc.; Red Bay Constructors Corp.;
Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction;
Coastal Window & Door Center of Charleston, LLC; Carolina Window &
Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC;
Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets;
Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.;
Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a
Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.;
Carolina Pest Solutions, Inc.; New South Construction Supply, LLC,

Defendants,

Of whom Sequest Development Company, Inc., is the

Respondent.

**MOTION TO ALLOW RESPONDENT UNTIL NOVEMBER 3, 2017,
TO FILE/SERVE INITIAL BRIEF AND DESIGNATION OF MATTER**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Edward D. Buckley, Jr. (SC Bar No. 994)
Jason A. Daigle (SC Bar No. 73308)
Russell G. Hines (SC Bar No. 72100)
Post Office Box 993
Charleston, South Carolina 29402
(843) 720-5488

Counsel for Respondent



NOW COMES Respondent, Seaquest Development Company, Inc., by and through its undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, hereby moves this Honorable Court to allow it until Friday, November 3, 2017, to file/serve its initial brief and designation of matter to be included in the record on appeal.

1. By order of October 5, 2017, the Court granted Respondent's second motion for an extension of its initial briefing/designation of matter deadline, establishing a deadline of today, October 30, 2017.

2. The undersigned is certainly aware of the language in the Court's order advising that no further extension would be granted absent extraordinary circumstances, and does not make this motion lightly, but makes it for what is hoped that the Court will deem sufficient cause to grant the dispensation requested herein: The undersigned's typical work schedule was recently disrupted by a family trip that resulted in him missing a week of office time (October 2-6), compacting the amount of time he has had to handle this and other matters, and the extension requested herein will allow counsel sufficient time to devote his best efforts to Respondent's brief and designation.

3. In further support hereof, the undersigned submits that allowance of the requested relief is consistent with the interests of justice and will not unduly prejudice any other party.

WHEREFORE, Respondent respectfully requests that this Honorable Court allow it through Friday, November 3, 2017, to file/serve its initial brief and designation of matter to be included in the record on appeal. Further, Respondent respectfully requests that the Court hold its present initial briefing/designation of matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)
Edward D. Buckley, Jr. (SC Bar No. 994)
Jason A. Daigle (SC Bar No. 73308)
Russell G. Hines (SC Bar No. 72100)
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Counsel for Respondent

Charleston, South Carolina

Dated: 10/30/17

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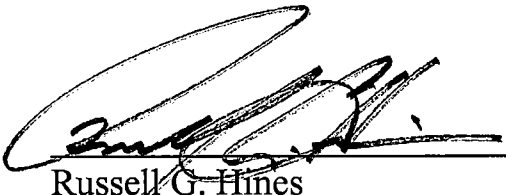
PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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Jason A. Daigle (SC Bar No. 73308)
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(843) 720-5488

Counsel for Respondent

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent, hereby certify that the **MOTION TO ALLOW RESPONDENT UNTIL NOVEMBER 3, 2017, TO FILE/SERVE INITIAL BRIEF AND DESIGNATION OF MATTER** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on October 30, 2017, properly posted for delivery to the following addressees:

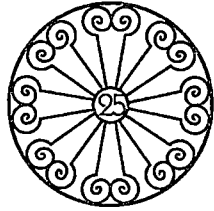
ANDREW K. EPTING, JR., LLC
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Charleston, South Carolina 29401
Counsel for Appellants



Russell G. Hines

Charleston, South Carolina

Dated: 10/30/17



YCR LAW

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Secretary

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October 30, 2017

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SC Court of Appeals

VIA US MAIL AND FASCIMILE

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

Re: Andrew and Kimberly McIntire v. SeaQuest Development Company, Inc., et al.
Appellate Case No. 2017-001270
Case No.: 2016-CP-10-1833
Claim No.: 100-00-002622
Date of Loss: 7/24/2008
YCR File: 9795-20160374

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Motion to Allow Respondent Until November 3, 2017 to File/Serve Initial Brief and Designation of Matter, the original and one (1) copy of the Proof of Service of same and our firm's check in the amount of \$25.00 representing the filing fee. Please file the originals and return court-stamped copies to me in the enclosed envelope.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes
Secretary

Enclosures
(via US Mail and email)

cc: Andrew K. Epting, Jr., Esquire, Andrew K. Epting, Jr., LLC
Jaan G. rannik, Esquire, Andrews K. Epting, Jr., LLC

FIRST CLASS

FIRST CLASS

FIRST CLASS

Master

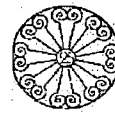
10/30/2017

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Jenny Abbott Kitchings, Clerk of
Court
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