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RECEIVED

MAR 14 2018

SC Court of Appeals

Curtis L. Coltrane
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Certified Circuit Court Mediator
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Curtis L. Coltrane*
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March 14, 2018

Hon. Jenny Abbott Kitchings
Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29911

Via E-mail to jkitchings@scourts.org
and Regular Mail

RE: Catwalk, LLC, et al. v. Sea Pines South Beach POA, Inc.
Appellate Case Number 2016-0637

Dear Ms. Kitchings:

I am counsel for the Appellants in the above case. The Court issued an opinion in this case on February 7, 2018. Following that, on February 20, 2018, I filed a Petition for Rehearing. The Respondent filed a Return on March 1, 2018. Then, on March 8, I filed a Reply. I noted on the C-Track Public Access, that the Court showed that no Reply was filed.

I spoke with your office today, and was advised that the Reply was due 5 days following service of the Return, and that the Court's automated docketing system noted that the Reply was due on March 6. Under Rule 240(f), SCACR, the Reply was due 5 days following service of the Return.

However, and as I noted in the conversation, with your office, I noted the text of Rule 263, SCACR, which reads, in relevant part:

In computing any period of time prescribed or allowed by these Rules, by order of court, or by any applicable statute, the day of the act, event, or

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default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state or federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

Since the time to file the Reply is less than 7 days, and since the 5 day period following the March 1 service of the Return included a weekend, the two days of the weekend are excluded from the count by Rule 263, and the last day for filing would have been March 8 and not March 6.

Please let me know if you feel my conclusion is incorrect, and if I need to file a motion or take some additional step to address this matter. I believe that the Reply was timely, and should be treated as such. I thank you for your assistance with this, and look forward to hearing from you soon. I am,

Sincerely,

COLTRANE & WILKINS, LLC



Curtis L. Coltrane

CLC/bms

cc: Kirsten E. Small, Esq. (Via E-mail to ksmall@nexsenpruet.com)
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