

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas
Deadra L. Jefferson, Circuit Court Judge
Kristi Lea Harrington, Circuit Court Judge

RECEIVED

APR 27 2018

Case No. 2016-CP-10-1355

SC Court of Appeals

Carolina Construction SolutionsRespondent,

v.

Eagles Landing Properties, LLC, Myron L. Hyman, Jr.,
Individually, and as Trustee of the Myron L. Hyman, Jr.,-1998
Trust, U/A Dated June 30, 1998 as Amended
Eagles Landing Restaurants, LLC, Eagles Landing International
LLC, Elite Construction Company, and Vincent C. Carter Defendants,

Of Whom,

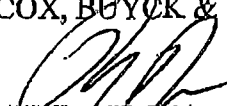
Myron L. Hyman, Jr., Individually, and as Trustee of the Myron L. Hyman, Jr.
-1998 Trust, U/A Dated June 30, 1998 as AmendedAppellant

MOTION FOR EXTENSION OF TIME

The Appellant moves before the Court pursuant to Rule 240, SCACR for an Order extending the time to file its final brief and to complete the Record on Appeal by 30 days from April 26, 2018. The Appellants are requesting a new deadline of May 26, 2018. The need for the requested extension is based on unresolved disagreements over the matters to be included in the Record on Appeal. Exhibit A, Letter to Opposing Counsel, dated April 18, 2018.

WILLCOX, BUYCK & WILLIAMS, P.A.

By:



Walker H. Willcox I.D. No. 72608

PO Box 1909

Florence, SC 29503-1909

(843) 664-3373 - Tel - (843) 662-1342 - Fax

Attorney for Appellant

April 26, 2018

Other Counsel of Record:

Alan R. Belcher, Jr.

Hall Booth Smith, P.C.

111 Coleman Blvd, Suite 301

Mount Pleasant, SC 29464

Attorney for Respondent

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Eagles Landing Restaurants, LLC, Eagles Landing International
LLC, Elite Construction Company, and Vincent C. Carter Defendants,

Of Whom,
Myron L. Hyman, Jr., Individually, and as Trustee of the Myron L. Hyman, Jr.
-1998 Trust, U/A Dated June 30, 1998 as Amended Appellants,

PROOF OF SERVICE

I certify that on April 26, 2018, I served the Appellants' Motion to Extend on the Respondent,
through its attorney of record, by depositing a copy of same in the United States Mail, postage prepaid, to:

Alan R. Belcher, Jr.
111 Coleman Blvd, Suite 301
Mt. Pleasant, SC 29464
Attorney for Respondent

WILLCOX, BUYCK & WILLIAMS, P.A.

By:



Walker H. Willcox I.D. No. 72608
PO Box 1909
Florence, SC 29503-1909
(843) 664-3373 - Tel - (843) 662-1342 - Fax
Attorney for Appellants

April 26, 2018

Mark W. Buyck, Jr.
 Hugh L. Willcox, Jr.
 Wm. Reynolds Williams♦
 Mark W. Buyck, III
 E. Lloyd Willcox, II
 John H. Muench † GA & KY
 Tracy L. Wright
 J. Scott Kozacki
 Walker H. Willcox
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† Additionally Licensed
 ♦ Certified Mediator

ESTABLISHED 1895

Reply To: Florence

Telephone (843) 662-3258
 Fax (843) 662-1342
 April 18, 2018

DELIVERED BY EMAIL ONLY

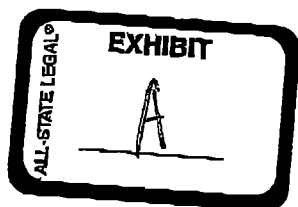
Alan R. Belcher, Jr.
 Hall Booth Smith, P.C.
 111 Coleman Boulevard, Suite 301
 Mount Pleasant, SC 29464

Re: Carolina Construction Solutions v. Eagles Landing Properties, LLC, et al.
 Lower Court Case No.: 2016-CP-10-1355
 Court of Appeals Case No.: 2017-001479
 Our File No. 14445.16986

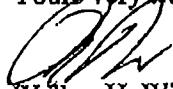
Dear Alan:

I received your letter dated April 16, 2018. I emailed you before I submitted the record but you did not provide a response. I checked the filings you submitted to the Court relating to the motion for default judgment and subsequent motions. Nowhere do I see a letter dated June 17, 2016 mailed to Hyman or the Hyman Trust. Moreover, I have no evidence that you sent me the June 17, 2016, letter. If the letter exists, please email it to me immediately so I may review it. As for Mr. Hyman's affidavit, it was submitted to the Trial Court and is properly part of the record.

To address the other items, I did not include the notice of appeal. The Court of Appeals is in possession of the document. However, because you are withdrawing the pleadings filed after the appeal was filed, I need to redo the record and I will include the notice. As to your other points, I did not put duplicates of exhibits in the record which reduced the size of the record by almost 30 pages and avoids confusion. However, if you want duplicates, I will revise the record. The type size of exhibits do not have to be 12 point type and I do not know which documents which you are referring. If you have a green card with better quality, please email it to me immediately. I included the best copy that I have. Call me about these items so we can agree on a record. There is no reason for it to delay the proceedings.



Yours very truly,



Walker H. Willcox

Email: wwillcox@willcoxlaw.com

WHW

Mark W. Buyck, Jr.
Hugh L. Willcox, Jr.
Wm. Reynolds Williams ♦
Mark W. Buyck, III
E. Lloyd Willcox, II
John H. Muench † GA & KY
Tracy L. Wright
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April 26, 2018

† Additionally Licensed
♦ Certified Mediator

HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF COURT
SC COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211

Reply To: Florence
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APR 27 2018
SC Court of Appeals

RE: Carolina Construction Solutions v. Eagles Landing Properties, LLC, et al
Case No.: 2016-CP-10-1355
Our File No. 14445.16986

Dear Ms. Kitchings:

Enclosed please find an original and seven copies of our Motion for Extension of Time to file its final brief and to complete the record on Appeal by 30 days from April 26, 2018. Also enclosed is our check in the amount of \$25.00 for the filing of this Motion.

Please return a filed copy to me in the enclosed envelope and if you should have any questions please contact me at (843) 662-3258.

Yours very truly,



Walker H. Willcox
Email: wwillcox@willcoxlaw.com

WHW/bls
enclosure

cc: Ms. V. Claire Allen
Deputy Clerk of Court of SC Court of Appeals

Mr. Alan Ross Belcher, Jr.
111 Coleman Blvd, Suite 301
Mt. Pleasant, SC 29464

WILLCOX, BUYCK, & WILLIAMS, P.A.
PROFESSIONAL ASSOCIATION
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SURFSIDE BEACH, SOUTH CAROLINA 29575
(843) 650-6777 - Tel
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April 26, 2018

TO: Honorable Jenny Abbott Kitchings

FAX NUMBER: (803) 734-1839

COMPANY: SC Court of Appeals

FROM: Walker H. Willcox

TOTAL PAGES: (Including This One:) 6 OUR FILE: 14445.16986

If you do not receive all pages, please call (843) 650-6777.

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SC Court of Appeals

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