

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

**RECEIVED**

OCT 16 2018

SC Court of Appeals

Honorable Benjamin H. Culbertson, Circuit Court Judge

Civil Action No.: 2016-CP-26-02377

In Re: Venture Engineering, agent for DT LLC .....Respondent

vs.

Horry County Zoning Board of Appeals .....Appellant

**APPELLANT HORRY COUNTY ZONING BOARD OF APPEALS'  
MOTION FOR EXTENSION OF TIME TO FILE  
INITIAL BRIEF AND DESIGNATION OF MATTER**

Appellant Horry County Zoning Board of Appeals ("Appellant"), hereby respectfully moves the Court, pursuant to Rule 240(a), SCACR, for a twenty (20) day extension of time to file the Initial Brief and Designation of Matter to be included in the Record on Appeal which is due October 19, 2018.

Due to disruptions in office hours and staffing shortages as a result of the recent storm event in Horry County and the resulting impact on workload and work schedules, Appellant respectfully contends that good cause exists for an extension of time to file its Initial Brief and Designation of Matter. Appellant's counsel has consulted with Respondent's counsel, Robert S. Shelton, Esquire, and Mr. Shelton has consented to this request.

Wherefore, counsel for Appellant contends that this appeal and the interest of justice will be served by granting said Appellant an extension of time, Appellant therefore respectfully prays



the Court for an order granting the Appellant an extension of twenty (20) days to file its Initial Brief and Designation of Matter to be included in the Record on Appeal.

Accordingly, Appellant requests the Court to enter an Order enlarging the time up to and including November 8, 2018, for the Appellant to submit its Initial Brief and Designation of Matter to be included in the Record on Appeal.

Respectfully submitted,

October 15, 2018



Emma Ruth Brittain, SC Bar #5298  
Matthew R. Magee, SC Bar #15896  
Thomas & Brittain, P.A.  
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*Attorneys for the Appellant*

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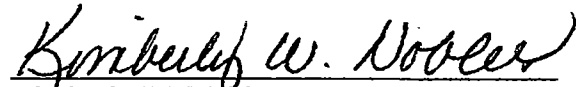
PROOF OF SERVICE

I, Kimberly W. Nobles, an employee of Thomas & Brittain, P.A., certify that I have served all counsel of record with a copy of the Appellant Horry County Zoning Board of Appeals' Motion for Extension of Time to File Initial Brief and Designation of Matter in the above-referenced matter by depositing a copy in the United States Mail, first class postage pre-paid on October 15, 2018, to the following counsel of record:

Robert S. Shelton, Esquire  
Bellamy, Rutenberg, Copeland,  
Epps, Gravely & Bowers, P.A.  
1000 29<sup>th</sup> Avenue North  
Myrtle Beach, South Carolina 29577

A Courtesy Copy to:  
Wesley Covington, Esquire  
41 Gasparilla Circle  
Murrells Inlet, South Carolina, 29576

October 15, 2018



Kimberly W. Nobles  
Thomas & Brittain, P.A.  
Post Office Box 1290 (zip 29578)  
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Telephone: 843-692-2628  
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**Thomas & Brittain, P.A.**

Attorneys at Law

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& LABOR LAW SPECIALIST

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Mailing Address:  
Post Office Box 1290  
Myrtle Beach, SC 29578

October 15, 2018

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SC Court of Appeals

**Via Federal Express and Fax Transmission**The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211Re: In Re: Venture Engineering, agent for DT LLC vs. Horry County Zoning Board of Appeals  
Appellate case No.: 2018-001221

Dear Ms. Kitchings:

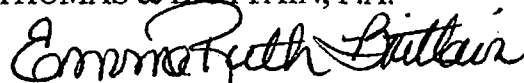
Our firm represents the Horry County Zoning Board of Appeals in the above-referenced matter. Due to disruptions in office hours and staffing shortages as a result of the most recent storm event in Horry County and the resulting impact on workload and work schedules, our Firm is requesting an extension of time of twenty (20) days to file the Initial Brief and Designation of Matter in this case. Opposing counsel Robert Shelton has consented to this request.

Please find enclosed for filing the original and seven (7) copies of Appellant Horry County Zoning Board of Appeals' Motion for Extension of Time to File Initial Brief and Designation of Matter and the Proof of Service in this case. Also enclosed is our filing fee in the amount of \$50.00. Please return a stamped copy in the self-enclosed stamped envelope.

Please do not hesitate to contact our office if you have any questions.

Sincerely yours,

THOMAS &amp; BRITTAIN, P.A.



Emma Ruth Brittain

ERB/kwn

Enclosures

cc: Robert S. Shelton, Esquire

Arrigo P. Carotti, Esquire, Horry County Attorney

***Thomas & Brittain, P.A.***

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Post Office Box 1290  
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**Fax Cover Sheet**

SC Court of Appeals

**From the Office of Emma Ruth Brittain, Esquire**

DATE: October 15, 2018

TO: Honorable Jenny Abbott Kitchings  
Clerk for the S.C. Court of Appeals

FAX: (803) 734-1839

RE: In Re: Venture Engineering, agent for DT LLC v. Horry County Zoning Board of  
Appeals  
Appellate #2018-001221Pages: 6 (including cover sheet)MESSAGE: **URGENT**

Due to disruptions in office hours and staffing shortages as a result of the recent storm event in Horry County and the resulting impact on workload and work schedules, Appellant is requesting a twenty (20) day extension of time to file its Initial Brief and Designation of Matter. The current due date is October 19, 2018. Respondent's counsel has consented to this request.

Please find attached the Appellant Horry County Zoning Board of Appeals' Motion for Extension of Time to File Initial Brief and Designation of Matter and the Proof of Service in this case. The original documents and the filing fee are being sent to you today by Federal Express.

The information contained in this facsimile message is attorney privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.