

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Roger M. Young, Circuit Court Judge

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NOV 02 2018

SC Court of Appeals

Appellant Case No.: 2018-000907

241-243 E. Bay Holdings, LLC, .....Appellant,

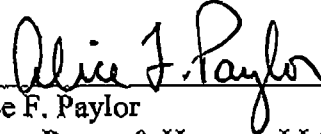
v.

The City of Charleston, The City of Charleston Board of Zoning Appeals - Zoning,  
Apex Real Property, LLC, and East Bay 7, LLC,.....Respondents.

**APPELLANT'S MOTION TO EXTEND TIME  
TO FILE APPELLANT'S RECORD ON APPEAL**

Pursuant to the South Carolina Court of Appeals Rules, Appellant 241-243 E. Bay Holdings, LLC, by and through its undersigned counsel, hereby move the Court for an order granting Appellant a thirty (30) day extension of time, until December 10, 2018, in which to file and serve Appellant's Record on Appeal. The parties have mutually agreed to this requested extension of time to provide time for the parties to continue to pursue on-going settlement discussions.

[SIGNATURE BLOCK ON NEXT PAGE]



Alice F. Paylor  
Rosen, Rosen & Hagood, LLC  
P.O. Box 893  
Charleston, SC 29402  
(843) 266-8105  
ATTORNEY FOR APPELLANT

November 2, 2018

Other Counsel of Record:

Daniel S. McQueeney, Jr., Esquire  
50 Broad Street  
Charleston, SC 29401  
ATTORNEYS FOR RESPONDENT THE CITY OF  
CHARLESTON AND THE CITY OF CHARLESTON  
BOARD OF ZONING APPEALS-ZONING

Charles J Baker, III, Esq.  
Womble Carlyle Sandridge & Rice, LLP  
5 Exchange St. (29401)  
P.O. Box 999  
Charleston, SC 29402  
ATTORNEYS FOR APEX REAL PROPERTY, LLC  
N/K/A PEARCE DEVELOPMENT, LLC

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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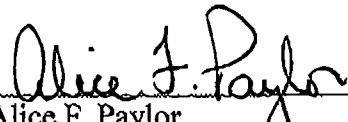
241-243 E. Bay Holdings, LLC.....Appellant

vs.

The City of Charleston, The City of Charleston Board of Zoning Appeals – Zoning, Apex Real Property, LLC, and East Bay 7, LLC ..... Respondents.

**PROOF OF SERVICE**

I certify that I have filed the **Appellant's Motion to Extend Time to File Appellant's Record on Appeal** by faxing and mailing a copy of it to the Clerk's office, in accordance with SCACR Rule 262(a)(2), and served it by emailing and depositing a copy in the United States Mail, postage prepaid, on November 2, 2018, addressed to all counsel of record, Daniel S. McQueeney, Jr., Esquire, 50 Broad Street, Charleston, SC 29401 and Charleston J. Baker, III, Esquire, 5 Exchange Street (29401), P.O. Box 999, Charleston, SC 29402.

  
\_\_\_\_\_  
Alice F. Paylor  
Rosen, Rosen & Hagood, LLC  
151 Meeting Street, Suite 400  
Charleston, SC 29401  
(843) 577-6726  
ATTORNEY FOR APPELLANT

November 2, 2018

## ROSEN | HAGOOD

Alice F. Paylor  
apaylor@rrhlawfirm.com  
(843) 266-8105

November 2, 2018

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SC Court of Appeals

**VIA FACSIMILE & U.S. MAIL**

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

Re: 241-243 E. Bay Holdings, LLC v. The City of Charleston, et al.  
Appellate Case No.: 2018-000907

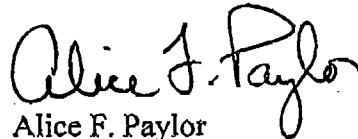
Dear Ms. Kitchings:

Enclosed please find an original and six copies of the Appellant's Motion to Extend Time to File Appellant's Record on Appeal and Proof of Service in the above referenced matter. Also enclosed is our firm's check in the amount of \$50.00 for the filing fee. Please file the original with the Court and return a clocked copy to me in the enclosed self-addressed, stamped envelope provided. I have also filed this motion via electronic facsimile pursuant to SCACR Rule 262(a)(2).

Thank you for your assistance in this matter.

With kind regards, I am

Sincerely yours,

  
Alice F. Paylor

AFP/tnd  
Enclosures

cc: Daniel S. McQueeney, Jr., Esquire  
Charles J. Baker, III, Esquire

**ROSEN HAGOOD**  
151 Meeting Street, Suite 400  
Charleston, SC 29401  
Tel: (843) 577-6726  
Fax: (843) 724-8036

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**FAX TRANSMISSION**

**ATTORNEY-CLIENT PRIVILEGE**

**RECEIVED**

Date Sent: November 2, 2018

NOV 02 2018

Sent From: Taylor Davis  
Legal Assistant to Alice Paylor

SC Court of Appeals

Sent To: South Carolina Court of Appeals  
ATTN: The Honorable Jenny Abbott Kitchings

Fax Number: (803) 734-1839

Re: 241-243 E. Bay Holdings, LLC v. The City of Charleston, et al.  
Appellate Case No. 2018-000907

Number of Pages (including cover page): 5

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**MESSAGE**

**Dear Ms. Kitchings:**

**Attached please find a copy of Appellant's Motion for Extension of Time to file Appellant's Record on Appeal and Proof of Service in the above-referenced case. A hard copy of the same has been sent via U.S. Mail today.**

**Please contact me with any questions or concerns.**

**Thank you,**

**Taylor Davis**  
**Legal Assistant to Alice Paylor**

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THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT OR THE PERSON RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, DO NOT USE OR DISCLOSE THIS FACSIMILE. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL TO ROSEN HAGOOD VIA THE U.S. POSTAL SERVICE. THANK YOU.

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