

89043

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Larry B. Hyman, Jr.
The Honorable Benjamin H. Culbertson

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FEB 13 2019
SC Court of Appeals

Appellate Case No. 2018-001221
Civil Action No.: 2016-CP-26-02377

In Re: Venture Engineering, agent for DT LLCRespondent

vs.

Horry County Zoning Board of AppealsAppellant

**APPELLANT HORRY COUNTY ZONING BOARD OF APPEALS'
MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

Appellant Horry County Zoning Board of Appeals ("Appellant"), hereby respectfully moves the Court, pursuant to Rule 240(a), SCACR, for a ten (10) day extension of time to file the Reply Brief to be included in the Record on Appeal which is due February 18, 2019.

Emma Ruth Brittain, counsel for the Appellant has court protection for her local circuit court cases and is out of the country, and she is expected to return to the office the middle of this week. Additionally, Blake Hewitt, co-counsel who assisted with the Appellant's Initial Brief has been elected to the Court of Appeals. Appellant respectfully contends that good cause exists for an extension of time to file its Reply Brief.

Wherefore, Appellant Horry County Zoning Board of Appeals 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 ten (10) days to file its Reply Brief.

Accordingly, Appellant requests the Court to enter an Order enlarging the time up to and including February 28, 2019, for the Appellant to submit its Reply Brief. Appellant's counsel has consulted with Respondent's counsel, Robert S. Shelton, Esquire, and Mr. Shelton has consented to this request.

Respectfully submitted,

February 12, 2019



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

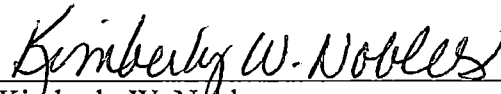
I, Kimberly W. Nobles, an employee of Thomas & Brittain, P.A., certify that I have served all counsel of record with a copy of the Appellant Horry County Zoning Board of Appeals' Motion for Extension of Time to File Reply Brief in the above-referenced matter by depositing a copy in the United States Mail, first class postage pre-paid on February 12, 2019, to the following counsel of record:

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

Blake A. Hewitt, Esquire
Bluestein Thompson Sullivan, LLC
P. O. Box 7965
Columbia, SC 29202

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

February 12, 2019



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Myrtle Beach, SC 29578

February 12, 2019

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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 29211

Re: 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. 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 Reply Brief and the Proof of Service in this case. Opposing counsel Robert Shelton has consented to this request. 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 & BRITTAIN, P.A.



Matthew R. Magee

MRM/kwn

Enclosures

cc: Robert S. Shelton, Esquire
Blake A. Hewitt, Esquire
Arrigo P. Carotti, Esquire, Horry County Attorney

J

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MATTHEW R. MAGEE, ESQUIRE
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MYRTLE BEACH, SC 29577
UNITED STATES US

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TO HONORABLE JENNY ABBOTT KITCHINGS
S.C. COURT OF APPEALS
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COLUMBIA SC 29201

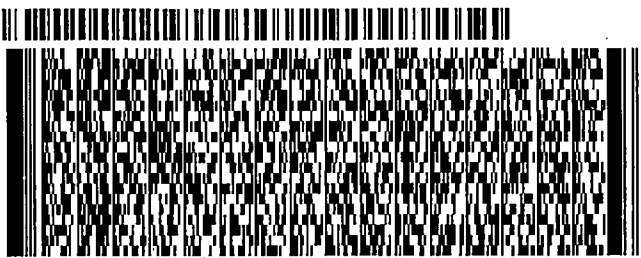
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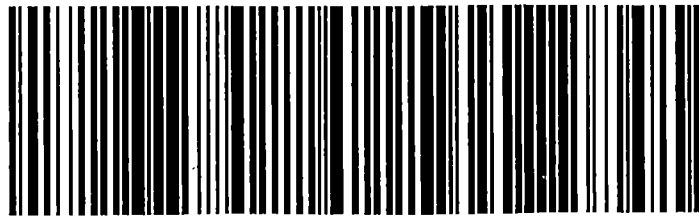


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SC Court of Appeals

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