

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

RECEIVED

Perry M. Buckner III, Circuit Court Judge

FEB 08 2019

SC Court of Appeals

Appellate Case No. 2018-000853

Ryan McAvoy.....Appellant,

v.

Hilton Head Island-Bluffton Chamber of Commerce,Respondent.

MOTION TO SERVE AND FILE OUT OF TIME
THE RECORD ON APPEAL

Taylor M. Smith IV
S.C. Bar No. 101584
Harrison, Radeker & Smith, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorneys for Appellant

Appellant hereby moves pursuant to Rule 240, SCACR, and at the request of the January 29, 2019 letter from South Carolina Court of Appeals Deputy Clerk Claire Allen to serve the record on appeal outside the time limits prescribed by the South Carolina Appellate Court Rules. Specifically, Appellant seeks an extension of that time to 32 days from January 7, 2019, the date the Record on Appeal was due to be served. If the request is granted, the record on appeal must be served by February 8, 2019. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. It is not possible for Appellant to comply with the original deadline (January 7, 2019), as contemplated by Rule 210, SCACR, to supply a timely-filed record on appeal at this point.
2. This late filing of the record on appeal would not change any argument in this appeal and would not present any cognizable prejudice to a party in this appeal.
3. The Respondent consents to the requested extension.
4. There is good cause to grant the requested extension.

WHEREFORE Appellant prays for an order allowing Appellant to serve and file out of time the record on appeal.

[signature next page]

Respectfully submitted,

Taylor Smith

Taylor M. Smith IV
S.C. Bar No. 101584
Harrison, Radeker & Smith, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorneys for Appellant

February 8, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Perry M. Buckner, III

Case No. 2017-CP-07-01766

RECEIVED

FEB 08 2019

SC Court of Appeals

Ryan McAvoy.....Appellant,

v.

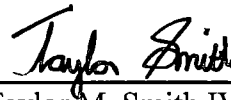
Hilton Head Island – Bluffton Chamber of Commerce.....Respondent.

PROOF OF SERVICE

I certify that I served the Motion to Serve and File out of Time the Record on Appeal by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Wm. Grayson Lambert
Burr & Forman, LLP
Post Office Box 11390
Columbia, South Carolina 29211

February 8, 2019



Taylor M. Smith IV (Bar No. 101584)
Harrison, Radeker & Smith, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
Attorneys for Appellant