

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM Horry COUNTY
Court of Common Pleas

Honorable Benjamin H. Culbertson, Circuit Court Judge

RECEIVED
MAY 09 2019
SC Court of Appeals

Case No. 2016-CP-26-02377

Appellate Case No. 2018-001221

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

v.

Horry County Zoning Board of Appeals*Appellant.*

MOTION TO ALLOW LATE FILING

NOW COMES the Respondent and respectfully moves before this Honorable Court for an order allowing the late filing of Respondent’s Designation of Matter as required pursuant to Rule 209(a), SCACR. Respondent’s Initial Brief was filed on February 8, 2019; however Respondent’s Designation of Matter was not submitted at the same time and was instead filed on March 22, 2019. Therefore, Respondent respectfully asks this Honorable Court to allow the March 22, 2019 filing date of Respondent’s Designation of Matter. Respondent’s counsel has consulted with Appellant’s counsel, Emma Ruth Brittain and Matthew R. Magee, and Ms. Brittain and Mr. Magee have consent to this request.

Respectfully submitted,

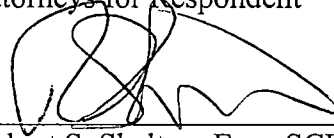
BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.

P.O. Box 357

Myrtle Beach, SC 29578

(843)448-2400

Attorneys for Respondent

A handwritten signature in black ink, appearing to read 'R. Shelton', written over a horizontal line.

Robert S. Shelton, Esq. SCB#68543

Myrtle Beach, South Carolina

Dated: May 8, 2019

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

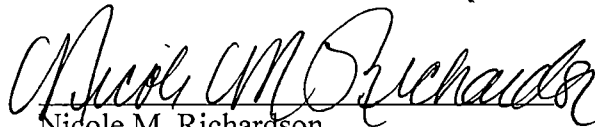
v.

Horry County Zoning Board of Appeals Appellant.

PROOF OF SERVICE

I certify that I have served the **Motion to Allow Late Filing** in the above-captioned matter on the following individuals by depositing a copy in the United States Mail, with sufficient first-class postage affixed, addressed as follows:

Emma Ruth Brittain, Esq.
Matthew R. Magee, Esq.
Thomas & Brittain, P.A.
P.O. Box 1290
Myrtle Beach, SC 29578



Nicole M. Richardson
Paralegal to Robert S. Shelton, Esq.
BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.
P.O. Box 357
Myrtle Beach, SC 29578
(843)448-2400

Myrtle Beach, South Carolina
Dated: May 8, 2019

HOWELL V. BELLAMY, JR.
EDWARD B. BOWERS, JR.*
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DAVID J. GUNDLING⁺ ⁺⁺
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MARTIN C. DAWSEY*
ROBERT S. SHELTON⁺
HOWELL V. BELLAMY, III
ASHLEY P. MORRISON

* LLM TAXATION
** LICENSED IN SC & NC
⁺ CERTIFIED MEDIATOR
⁺⁺ CERTIFIED ARBITRATOR



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RETIRED:
JOHN K. RUTENBERG (1939-2012)
JOHN E. COPELAND
CLAUDE M. EPPS, JR.
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Writer's Direct Dial: 843-916-7163
Writer's Email: RShelton@BellamyLaw.com

May 8, 2019

VIA FEDERAL EXPRESS

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
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SC Court of Appeals

Re: In Re: Venture Engineering, agent for DT LLC v. Horry County Zoning Board of Appeals
Appellate Case No.: 2018-001221

Dear Ms. Kitchings:

Enclosed for filing is one (1) unbound original and seven (7) copies of Respondent's Motion to Allow Late Filing and Proof of Service in the above referenced matter. The filing fee in the amount of \$50.00 is enclosed.

I would appreciate you returning a clocked copy of the Motion and Proof of Service in the enclosed self-addressed, stamped envelope provided for your convenience. Please do not hesitate to contact me should you have any questions.

With kindest regards, I am

Yours very truly,
BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.

Robert S. Shelton

RSS:nmr

Enclosure as noted

cc: Emma Ruth Brittain, Esq.
Matthew R. Magee, Esq.

300

FedEx *US Airbill*
Express

FedEx
Tracking
Number

8587 1861 3807

Form
ID No.

0215

1443
Recipients: 3/19

RECIPIENT: PEEL HERE

1 From This portion can be removed for Recipient's records.

Date Nov 9 2019 FedEx Tracking Number 858718613807

Sender's Name BELLAMY LAW FIRM Phone 843 448-2400

Company BELLAMY LAW FIRM

Address 1000 29TH AVE N Dept./Floor/Suite/Room

City MYRTLE BEACH State SC ZIP 29577-3171

2 Your Internal Billing Reference

30175-093973

3 To

Recipient's Name Myrtle Beach County Appeals Phone

Company Myrtle Beach County Appeals

Recipient's Address 1750 Seneca Street Dept./Floor/Suite/Room

Address
To request a package be held at a specific FedEx location, print FedEx address here.

City Myrtle Beach State SC ZIP 29577

4a Express Package Service

Packages up to 150 lbs.

- FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 - FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.
 - FedEx First Overnight
Earliest next business morning delivery to select locations.* Saturday Delivery NOT available.
 - FedEx 2Day
Second business day.** Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 - FedEx Express Saver
Third business day.* Saturday Delivery NOT available.
- * To most locations.

4b Express Freight Service

Packages over 150 lbs.

- FedEx 1Day Freight*
Next business day.** Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 - FedEx 2Day Freight
Second business day.** Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 - FedEx 3Day Freight
Third business day.** Saturday Delivery NOT available.
- * Call for Confirmation: ** To most locations.

5 Packaging

- FedEx Envelope*
 - FedEx Pak*
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.
 - FedEx Box
 - FedEx Tube
 - Other
- * Declared value limit \$500.

6 Special Handling

Include FedEx address in Section 3.

- SATURDAY Delivery
Not available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 3Day Freight.
- HOLD Weekday at FedEx Location
Not available for FedEx First Overnight.
- HOLD Saturday at FedEx Location
Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

Does this shipment contain dangerous goods?
One box must be checked.

- No
 - Yes
As per attached Shipper's Declaration.
 - Yes
Shipper's Declaration not required.
 - Dry Ice
Dry Ice, 9, UN 1845 x _____ kg
 - Cargo Aircraft Only
- Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.

7 Payment Bill to:

- Sender
Acct. No. in Section 1 will be billed.
 - Recipient
 - Third Party
 - Credit Card
 - Cash/Check
- Enter FedEx Acct. No. or Credit Card No. below. Obtain Recip. Acct. No.



Total Packages	Total Weight	Total Charges
1	1 lb	Credit Card Auth.

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MAY 09 2019

*Our liability is limited to \$100 unless you declare a higher value. See the current FedEx Service Guide for details.

8 NEW Residential Delivery Signature Options If you require a signature, check Direct or Indirect.

- No Signature Required
Package may be left without obtaining a signature for delivery.
- Direct Signature
Anyone at recipient's address may sign for delivery. Fee applies.
- Indirect Signature
If no one is available at recipient's address, anyone at a neighboring address may sign for delivery. Fee applies.

519



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SC Court of Appeals

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