

90765

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

MIKELL R. SCARBOROUGH, Master in Equity

Appellate Case No. 2019-001289

**RECEIVED**

SEP 05 2019

SC Court of Appeals

Raven's Run Homeowners Association, Inc., Appellant/Respondent,

v.

Crown Pointe Association, Inc., Lois K. Novak as Trustee of the Lois K. Novak Living Trust dated 10/14/2013, Laurie T. Herron and Mark D. Herron; James B. Kubu and Melissa F. Kubu; Leila June Johnson; Danny Ta and Anita McCauley; Robert E. Luby, Jr., and Barbara Luby; Joshua D. Coonce; Lucius Roy Junevicius, Katherine Kinlaw; Thomas K. Kuyk and Melissa Ward; Roland Franklin Wooten, III, and Teresa Key Wooten; Michael P. Horvath; Timothy E. Moylan and Karen G. Moylan; Carl A. Counasse and Maureen Counasse; David A. Frielinghaus and Holly C. Frielinghaus; Christopher S. Finley and Holly M. Finley; Shirley D. Springer a/k/a Shirly Deanna Springer, Deirdre C. Knight; Robert Shane Johnson; Eric R. Sigman; Lamar R. Graves, Jr. and Terry W. Graves; Mary Elizabeth Gladdedn; Philip Wallace and Naomi Grad; Thomas Edwin Davis and Luis Miguel Gonzalez Melchor; John R. Funkhouser and Jennifer L. Funkhouser; Gregory S. Cooper and Jane B. Cooper; Frank C. Jones, Jr. and Elise Ubele Jones; William P. Topping and Kris B. Topping; LaRhonda S. Ptichko; Kenneth L. Tully and Anna J. Tully; Defendants,

Of Whom James B. Kubu and Melissa F. Kubu, and Leila June Johnson are the Respondents

And Katherine Kinlaw is the Respondent/Appellant.

**APPELLANT/RESPONDENT'S MOTION FOR EXTENSION OF TIME  
TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER TO THE  
RECORD ON APPEAL**

Appellant/Respondent Raven's Run Homeowners Association, Inc. ("Raven's Run"), pursuant to Rule 240, SCACR, respectfully moves for a 30-day extension of time in which to file its initial brief and designation of matter to the record on appeal. In support of this motion, Raven's Run would state as follows:

1. Raven's Run filed and served its notice of appeal on August 1, 2019. Because no transcript was ordered, Raven's Run's initial brief and designation of matter are due on or before Tuesday, September 3, 2019.<sup>1</sup>

2. If the extension is granted, the new deadline for Appellant/Respondent's initial brief and designation of matter to the record on appeal would be October 3, 2019.

3. An extension of this deadline is needed to give appellate counsel sufficient time to become familiar with the record and to accommodate deadlines in other matters. Undersigned counsel certifies that this extension is sought in good faith and not for purposes of delay.

*Signature page follows*

---

<sup>1</sup> Thirty days after serving the notice of appeal, *see* Rule 208(a)(1), SCACR, is Saturday, August 31, 2019. Pursuant to Rule 263(a), SCACR, the deadline automatically rolls to the next business day, which is Tuesday, September 3, 2019, due to the Labor Day holiday.

Respectfully submitted,



William W. Wilkins (S.C. Bar No. 6112)

Kirsten E. Small (S.C. Bar No. 75681)

NEXSEN PRUET, LLC

55 East Camperdown Way (29601)

Post Office Drawer 10648

Greenville, SC 29603-0648

Tel. 864.370.2211

[BWilkins@nexsenpruet.com](mailto:BWilkins@nexsenpruet.com)

[Ksmall@nexsenpruet.com](mailto:Ksmall@nexsenpruet.com)

G. Hamlin O'Kelley, III (S.C. Bar No. 15491)

BUIST, BYARS & TAYLOR, LLC

652 Coleman Blvd., Suite 200

Mt. Pleasant, SC 29464

Tel. 843.856.4488

[Hamlin.Okelley@buistbyars.com](mailto:Hamlin.Okelley@buistbyars.com)

*Attorneys for Appellant/Respondent*

*Raven's Run Homeowners Association, Inc.*

August 30, 2019

Greenville, South Carolina

**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing **Appellant/Respondent's Motion for Extension of Time to File Initial Brief and Designation of Matter to the Record on Appeal** on Respondents and on Respondent/ Appellant by depositing a copy of it in the United States Mail, postage prepaid on August 30, 2019, addressed to their counsel of record, as shown below:

Edward K. Pritchard, Jr.  
LAW OFFICES OF EDWARD K. PRITCHARD, JR.  
P.O. Box 639  
Sullivan's Island, SC 29482

*Counsel of Record for Respondents James and  
Melissa Kubu*

Jeffrey T. Spell  
LAW OFFICE OF JEFFREY T. SPELL  
1721 Ashley River Road  
Charleston, SC 29407

*Counsel of Record for Respondent Leila June  
Johnson*

Harold A. Oberman  
OBERMAN & OBERMAN, LLC  
60 Markfield Drive, Suite 2  
Charleston, SC 29407

*Counsel of Record for  
Respondent/Appellant Katherine Kinlaw*

**RECEIVED**

SEP 05 2019

**SC Court of Appeals**

  
\_\_\_\_\_  
Kirsten E. Small (S.C. Bar No. 75681)  
Nexsen Pruet, LLC  
55 East Camperdown Way (29601)  
Post Office Drawer 10648  
Greenville, SC 29603-0648  
Tel. 864.370.2211  
KSmall@nexsenpruet.com

Kirsten E. Small  
Member  
Admitted in SC, NC, MD

August 30, 2019

RECEIVED

SEP 05 2019

SC Court of Appeals

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

Re: *Raven's Run Homeowners Association, Inc., Appellant/Respondent v. James B. and Meliss F. Kubu, Leila June Johnson, Respondents, and Katherine Kinlaw, Respondent/Appellant*  
Appellate Case No. 2019-001289

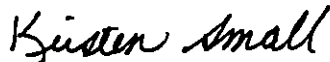
Dear Ms. Kitchings:

Regarding the above-referenced case, enclosed please find the original and 7 copies of (1) Appellant/Respondent's Motion for Leave to File Amended Notice of Appeal, and (2) Appellant/Respondent's Motion for Extension of Time to file Initial Brief and Designation of Matter to the Record on Appeal. Also enclosed are two checks for \$50.00, representing the filing fees for these motions. Please file the original and 6 copies, and return one, file-stamped copy in the enclosed, postage-paid envelope.

By copy of this letter, I have served counsel for Respondents and for Respondent/Appellant, as indicated in the Certificates of Service accompanying each motion.

Additionally, please note that all necessary transcripts were prepared while the case was pending in the circuit court. Consequently, there was no need to order any transcript after the filing of the notice of appeal.

Very truly yours,



Kirsten E. Small

cc: Counsel of Record

Charleston  
Charlotte  
Columbia  
Greensboro  
**Greenville**  
Hilton Head  
Myrtle Beach  
Raleigh

Hasler PRIORITY MAIL

08/30/2019  
US POSTAGE \$008.30<sup>00</sup>



ZIP 29601  
D11E11677186

NEXSEN|PRUET

P. O. Drawer 10648  
Greenville SC 29603-0648

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

**RECEIVED**  
SEP 05 2019  
SC Court of Appeals

61679-1