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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No.: 2017-CP-10-4947
Appellate Case No.: 2019-001843

RECEIVED
FEB 06 2020
SC Court of Appeals

Dana and John Stortz Appellants

v.

The State of South Carolina, City of North Charleston, County of Charleston,
Department of Health and Environmental Control, South Carolina Department
Of Transportation, John Doe (Engineering Firm/Engineer), Coosaw Creek
Owners' Association, Inc. Defendants,

Of Which, The State of South Carolina, City of North Charleston, County of Charleston,
Department of Health and Environmental Control, South Carolina Department
Of Transportation, John Doe (Engineering Firm/Engineer), Coosaw Creek
Owners' Association, Inc. are the Respondents.

**Respondent City of North Charleston's Motion for an Extension of Time to File
Initial Brief and Designation of Matter to be Included in the Record on Appeal**

Respondent City of North Charleston ("City") respectfully requests a 60-day extension of time to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-captioned appeal. This is Respondent City's first request for an extension of time with this Court.

Based on Appellant's Initial Brief filed on January 8, 2020, and apparent intended service on January 6, 2020,¹ the Brief of Respondent City is due on February 5, 2020. With a 60-day extension request, the new deadline for City would be April 5, 2020.

Therefore, City requests that the Court enter an Order extending the deadline for Respondent City's Initial Brief and Designation of Matter to be Included in the Record on Appeal to be April 5, 2020. Respondent City requests that the current deadline be held in abeyance while the Court considers this request.

BARNWELL WHALEY PATTERSON & HELMS, LLC

By: 

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Attorney for the City of North Charleston

February 3, 2020

Other Counsel of Record:

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Attorney for Plaintiff/Appellant

Jonathan J. Anderson, Esquire
W. Coleman Lawrimore, Esquire
Anderson Reynolds & Stephens, LLC

¹ Appellant listed January 6, 2019 date on the Proof of Service. Presumably this was a clerical error, and the correct date is January 6, 2020.

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Of Transportation, John Doe (Engineering Firm/Engineer), Coosaw Creek
Owners' Association, Inc. are the Respondents.

PROOF OF SERVICE

I, Phillip S. Ferderigos, of Barnwell Whaley Patterson & Helms, LLC, hereby certify that
on the 4th day of February, 2020, I have served a copy of Respondent City of North
Charleston's Motion for an Extension of Time to File Initial Brief and Designation of Matter to be

Included in the Record on Appeal by depositing the same in the United States Mail, with appropriate postage affixed correctly addressed as follows:

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February 3, 2020

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: Stortz vs. State of South Carolina, et al.
Appellate Case No.: 2019-001843
BWPH File No.: 1.658

Dear Ms. Kitchings:

Please find enclosed the original and seven copies of Defendant City of North Charleston's Motion for an Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record on Appeal and Proof of Service. Please file the originals and return a clocked copy of the Motion and the Proof of Service in the envelope provided herein.

By copy of this letter, I am serving counsel of Record with copies of the same.

Thank you for your assistance.

With kind regards,

Phillip S. Ferderigos

Enclosures

Cc w/enc.: Jarrel L. Wigger, Esquire
I. Keith McCarty, Esquire
Jonathan J. Anderson, Esquire, Cole Lawrimore, Esquire

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REPRESENTING CLIENTS IN ALL COURTS IN SOUTH CAROLINA AND NORTH CAROLINA AND IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

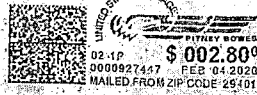
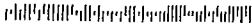
The Honorable Jenny Abbott Kitchings

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Page Two

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PSF/bbm



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PATTERSON & HELMS LLC

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