

9/16/81

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Henry W. Brown
Special Referee

RECEIVED

DEC 16 2019

SC Court of Appeals

APPELLATE CASE NO.: 2019-000513

Brown Contractors, LLC under S.C. Residential Builders License No. 20378,
.....Appellant/Respondent,

v.

Andrew Joseph McMarlin a/k/a Andrew Joseph McMarlin and Amy Salzhauer,
.....Respondents/Appellants,

And

Andrew McMarlin and Amy Salzhauer,
.....Respondents/Appellants,

v.

James Brown IV and Brown-Meihaus Construction, LLC,
.....Third-Party Defendants.

**APPELLANT/RESPONDENT'S MOTION TO FILE RECORD ON
APPEAL OUT OF TIME**

COMES NOW THE Appellant/Respondent, Brown Contractors, LLC, who moves this Honorable Court for an Order allowing it leave to file the Record on Appeal out of time, pursuant to Rules 240 and 263(b), South Carolina Appellate Court Rules and the December 3, 2019 letter of the Hon. V. Claire Allen, Deputy Clerk.

Robert B. Varnado

Robert B. Varnado (SC Bar # 0007085)
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P.O. Box 1127
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(843) 737-7300

*Attorneys for Appellant/Respondent and
Third-Party Defendants.*

December 13, 2019
Mt. Pleasant, South Carolina

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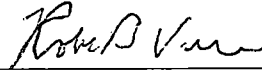
James Brown IV and Brown-Meihaus Construction, LLC,
.....Third-Party Defendants.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the *Appellant/Respondent's Motion to File Record on Appeal Out of Time* in the above referenced case has been served upon counsel of record by mailing a copy in an envelope properly addressed with postage prepaid on this date to the following:

Robert T. Lyles, Jr., Esquire
Lyles & Associates, LLC
342 East Bay Street
Charleston, South Carolina 29401

(Signature on Following Page)



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December 13, 2019
Mt. Pleasant, South Carolina

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VARNADO** LLC
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December 13, 2019

VIA U.S. MAIL

The Honorable V. Claire Allen
Deputy Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: *Brown Contractors, LLC v. Andrew McMarlin*
Appellate Case No.: 2019-00513
Our File No.: 6225.005

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Dear Ms. Allen:

Enclosed find original and six (6) copies the *Appellant/Respondent's Motion to File Record on Appeal Out of Time*, and my firm's check in the amount of \$50.00 to cover the filing fee.

Thank you and with best regards, I remain

Very truly yours,

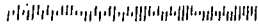
BROWN AND VARNADO LLC



Robert B. Varnado

RBV/am

cc: Robert T. Lyles, Jr., Esquire (w/ enclosure)



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Mount Pleasant, SC 29465

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Dep. Clerk, S.C. Court of Appeals
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