

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Civil Action No. 2015-CP-10-00955

Appellate Case No. 2019-001790

Palmetto Pointe At Peas Island Condominium Property Owners Association, Inc. And Jack Love, Individually, and on behalf of all others similarly situated, ..... Plaintiffs,

vs.

Island Pointe, LLC; Complete Building Corporation; Tri-County Roofing, Inc.; Creekside, Inc; American Residential Services, LLC d/b/a ARS/Rescue Rooter Charleston; Andersen Windows, Inc; Atlantic Building Construction Services, Inc., n/k/a Atlantic Construction Services, Inc.; Builder Services Group, Inc. d/b/a Gale Contractor Services; Novus Architects, Inc., f/k/a SGM Architects, Inc.; Tallent and Sons, Inc; W C Services, Inc.; CRG Engineering, Inc; CertainTeed Corporation; Kelly Flooring Products, Inc, d/b/a Carpet Baggers; Cornerstone Construction and Mark Malloy d/b/a Cornerstone Construction; Miracle Siding, LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez; Chris a/k/a John Doe 61; Alderman Construction; Stanley's Vinyl Fence Designs; Cohen's Drywall Company, Inc; Mosely Concrete; Hand A Framing Construction, LLC a/k/a H&A Framing Construction, LLC and d/b/a H and A Framing, LLC, H&A Construction, and Hand A Construction; JMC Construction, Inc; JMC Construction, LLC; John Doe 1—15, ..... Defendants,

of which Palmetto Pointe At Peas Island Condominium Property Owners Association, Inc. and Jack Love, individually, and on behalf of all others similarly situated are the Respondents,

and

Tri-County Roofing, Inc. ....Appellant.

**MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE AND SERVE**

**APPELLANT'S INITIAL BRIEF AND  
DESIGNATION OF MATTER**

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Pursuant to Rule 240, SCACR, Appellant Tri-County Roofing, Inc. (hereinafter "Tri-County") hereby requests a thirty (30) day extension of time to file and serve its Initial Brief and Designation of Matter under Rules 208 and 209, SCACR. This request is the first one by Tri-County.

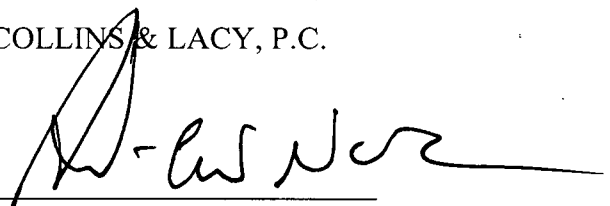
Counsel for Appellant received the transcript of record of the second week of the trial May 13-17, 2019 on March 24, 2020. We are now in receipt of all requested transcripts, (week one, week two and the post-trial motions hearing). Due to the COVID-19 emergency and other scheduling issues, counsel projects they will require additional time to complete Appellant's Initial Brief. The current deadline is April 23, 2020. Appellant requests a thirty (30) day extension, which would place the new deadline at May 23, 2020.

Appellants greatly appreciate the Court's time, attention, and assistance with regard to this request.

Respectfully submitted,

COLLINS & LACY, P.C.

By:



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April 1, 2020  
Columbia, South Carolina

ATTORNEYS FOR TRI-COUNTY  
ROOFING, INC

Other Counsel of Record:

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-and-

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***Counsel for Palmetto Pointe At Peas Island  
Condominium Property Owners Association, Inc.  
And Jack Love, Individually, and on behalf of  
all others similarly situated***

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vs.

Island Pointe, LLC; Complete Building Corporation; Tri-County Roofing, Inc.; Creekside, Inc; American Residential Services, LLC d/b/a ARS/Rescue Rooter Charleston; Andersen Windows, Inc; Atlantic Building Construction Services, Inc., n/k/a Atlantic Construction Services, Inc.; Builder Services Group, Inc. d/b/a Gale Contractor Services; Novus Architects, Inc., f/k/a SGM Architects, Inc.; Tallent and Sons, Inc; W C Services, Inc.; CRG Engineering, Inc; CertainTeed Corporation; Kelly Flooring Products, Inc, d/b/a Carpet Baggers; Cornerstone Construction and Mark Malloy d/b/a Cornerstone Construction; Miracle Siding, LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez; Chris a/k/a John Doe 61; Alderman Construction; Stanley's Vinyl Fence Designs; Cohen's Drywall Company, Inc; Mosely Concrete; Hand A Framing Construction, LLC a/k/a H&A Framing Construction, LLC and d/b/a H and A Framing, LLC, H&A Construction, and Hand A Construction; JMC Construction, Inc; JMC Construction, LLC; John Doe 1—15, ..... Defendants,

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and

Tri-County Roofing, Inc. .... Appellant.

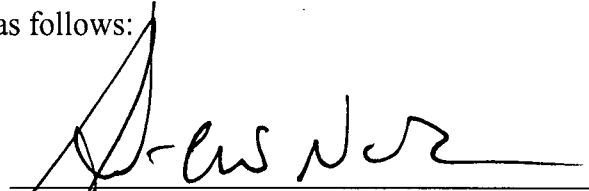
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**PROOF OF SERVICE**

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I certify that I have served the Motion for an Extension of Time in Which to File and Serve Appellant's Initial Brief and Designation of Matter by depositing a copy of it in the United States Mail, postage prepaid, on April 1, 2020, addressed as follows:

April 1, 2020



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***Counsel for Palmetto Pointe At Peas Island  
Condominium Property Owners Association, Inc.  
And Jack Love, Individually, and on behalf of  
all others similarly situated***



Andrew N. Cole | D: 803.255.0433 | E: acole@collinsandlacy.com

April 1, 2020

**VIA U.S. MAIL**

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

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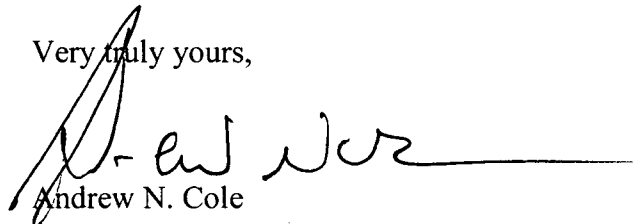
**SC Court of Appeals**

Re: Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc. v.  
Tri-County Roofing, Inc.  
Appellate Case No. 2019-001790  
Claim No. R&A THA10396  
C&L File No. 001083-00167

Dear Ms. Kitchings:

Please find enclosed the original and six(6) copies of Tri-County Roofing, Inc.'s Motion for an Extension of Time to File and Serve Appellant's Initial Brief and Designation of Matter pursuant to R 208, SCACR. The Initial Brief is presently due on April 23, 2020. I am requesting a thirty (30) day extension. This is the first request for an extension.

Very truly yours,



Andrew N. Cole

cc: Justin O. Lucey, Esquire  
Stephanie Drawdy, Esquire  
Joshua F. Evans, Esquire  
Edward D. Buckley, Jr., Esquire

Hasler

FIRST-CLASS MAIL

04/01/2020

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**Collins Lacy**  
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The Honorable Jenny Abbott Kitchings  
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