

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Master-in-Equity

Marvin H. Dukes, III

Case No. 2020-000687

RECEIVED

Oct 22 2020

SC Court of Appeals

Peter Michael Buonaiuto, Sr., individually, and on behalf of all others similarly situated, Appellant,

v.

The Town of Hilton Head Island, South Carolina,Respondent.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE OUT OF TIME
APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL

Taylor M. Smith IV
S.C. Bar No. 101584
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Post Office Box 50143
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(803) 779-2211
Attorney for Appellant

Appellant hereby moves pursuant to Rule 240 and 263(b), SCACR, requesting the Court accept late service of this motion (and Appellant's initial brief and matter to be designation to be included in the record on appeal) and for a 37-day extension of the time from the date it was previously due in which to serve and file the Appellant's initial brief and designation of matter to be included in the record on appeal. The grounds for this motion are that there is good cause to grant the requested extension and leave to file this motion out of time, as the following shows:

1. Appellant's brief and designation of matter was due for filing and service on September 23, 2020.
2. The current COVID-19 pandemic and its attendant disruption of the ordinary functioning of business has disrupted Appellant's counsel's schedule and ordinary pace of work, affecting several matters, including the completion of the initial brief in this case.
3. On September 6, 2020, the undersigned counsel for Appellant severely injured his left hand. As a result of his injury, the undersigned was unable to use his left hand for two weeks and was discouraged from typing for an additional week after that.
4. Regrettably, the undersigned did not ask for an extension during the rehabilitation of his hand.
5. Appellant's brief and designation of matter was due Wednesday, September 23, 2020. If the request is granted, Appellant's initial brief and designation of matter to be included in the record on appeal will be due on October 30, 2020.
6. This is the second extension Appellant has requested in this appeal.

7. Respondent stated it will not object to this proposed extension of time to serve the initial brief and designation of matter out of time.
8. The undersigned has served this document on opposing counsel by email to registered AIS email address on the date given below.

WHEREFORE Appellant prays for an order extending the time in which to serve and file the Appellant's initial brief and designation of matter to be included in the record on appeal by 37 days, to October 30, 2020.

October 22, 2020

Respectfully submitted,

/s/ Taylor Smith
Taylor M. Smith IV
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PROOF OF SERVICE

I certify that I served the appellant's motion for an extension of the time in which to serve and file the Appellant's initial brief and designation of matter to be included in the record on appeal out of time by attaching the motion to email correspondence and sending that email correspondence on October 22, 2020, addressed as follows:

Curtis L. Coltrane, Esquire
curtis@coltraneandwilkins.com

Respectfully submitted,

/s/ Taylor Smith
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