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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
James O. Spence, Master-in-Equity

Case No. 2011-CP-32-01205

Appellate Case No. 2020-001580

First Reliance Bank,

Respondent,

v.

Charles E. Bishop, Brett D. Blanks, BCM of Lexington, LLC d/b/a Dam Bar & Grill, B&H of Lexington, LLC, and Branch Banking and Trust Company of South Carolina, Defendants,

Of whom Brett D. Blanks, BCM of Lexington, LLC d/b/a Dam Bar & Grill, and B&H of Lexington, LLC are Appellants.

**MOTION FOR FIRST EXTENSION OF TIME TO FILE
APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER**

Pursuant to Rules 208 and 240, SCACR, Appellants Brett D. Blanks, BCM of Lexington, LLC d/b/a Dam Bar & Grill, and B&H of Lexington, LLC ("Appellants"), by and through the undersigned counsel, respectfully request this Court grant them a 30-day extension of time to file their initial brief and designation of matter. Appellants filed a notice of appeal of the circuit court's November 4, 2020 Order on December 1, 2020. Appellant's initial brief is currently due to the Court on January 4, 2020.

This extension is requested due to scheduling issues caused by the ongoing coronavirus pandemic, numerous other deadlines and professional obligations of counsel, and the upcoming

holidays. Appellants are also contemporaneously filing a motion to stay the appeal in the interest of judicial economy until the circuit court rules on Appellants' pending Rule 59(e), SCRC, motion. A hearing on Appellant's Rule 59(e) motion was previously scheduled for December 21, 2020, but was canceled due to the ongoing coronavirus pandemic. As Appellant's initial brief is due on January 4, 2020, Appellants also request this 30-day extension in order to allow the Court to consider its motion to stay.

If the Court grants the extension, the new deadline will be February 4, 2020. However, if the Court grants Appellants' motion to stay, Appellants understand an extension may not be necessary as the appeal would be stayed. Appellants have consulted with counsel for Respondent, and counsel for Respondent consents to Appellant's request for a 30-day extension and request for a stay of this appeal until the circuit court rules on Appellants' Rule 59(e) motion.

(Signature page follows)

Respectfully submitted,

s/ Shanon N. Peake

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December 21, 2020.