

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

The Honorable Bentley D. Price, Circuit Court Judge

CASE NO. 2019-CP-10-04387

Applied Building Sciences, Inc. Appellant

vs.

South Carolina Department of Commerce, Division of Public Railways Respondent

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

YOU WILL PLEASE TAKE NOTICE that the undersigned, as attorney for the Appellant, moves this Court for an Order extending the time to file Appellant's Initial Brief and Designation of Matter currently due on Monday, February 15, 2021 in the captioned case. The basis of this motion is Appellant's counsel's schedule and the fact the courts now require more briefs due to the pandemic. This is Appellant's first request for extension in this matter.

WHEREFORE, Appellant's counsel respectfully requests this Court issue its Order granting Appellant an extension to March 17, 2021 to file Appellant's Initial Brief and Designation of Matter.

Respectfully submitted,

KELAHER, CONNELL & CONNOR, P.A.



Gene M. Connell, Jr. (S.C. Bar No. 1358)
The Courtyard, Suite 209
1500 U. S. Highway 17 North
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gconnell@classactlaw.net
Attorney for Respondent

February 8, 2021
Surfside Beach, South Carolina

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PROOF OF SERVICE

PERSONALLY appeared before me, Shelia Y. McCumbee, who being duly sworn, deposes and says that she is an employee of Kelaher, Connell & Connor, P.C., and that she has served a copy of the Appellant's Motion for Extension to File Appellant's Initial Brief and Designation of Matter on the 8th day of February, 2021, by depositing a copy of same in the United States Mail, postage prepaid, to:

David L. Paavola, Esquire
Keith M. Babcock, Esquire
Lewis Babcock L.L.P.
P. O. Box 11208
Columbia, SC 29211

Shelia Y. McCumbee
Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,
this 8th day of February, 2021.

Bentley D. Price
Notary Public for South Carolina
My Commission Expires: 1-22-29

KELAHER, CONNELL & CONNOR, P.C.

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ATTORNEYS AT LAW

SUITE 209

THE COURTYARD

1500 U.S. HIGHWAY 17 NORTH

P.O. DRAWER 14547

SURFSIDE BEACH, SOUTH CAROLINA 29587

FEB 10 2021

SC Court of Appeals

EDWARD T. KELAHER*
GENE M. CONNELL, JR.
L. SIDNEY CONNOR, IV
LISA POE DAVIS
*OF COUNSEL

AREA CODE 843
238-5648
FAX: 238-5050

February 8, 2021

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Appellate Case No. 2021-000051
*Applied Building Sciences, Inc. v. South Carolina Department of Commerce, a
Division of Public Railways*
C/A No. 2019-CP-10-04387
Our File No. 2019-0378C

Dear Ms. Kitchings:

Enclosed please find Appellant's Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter and Proof of Service in the above-captioned matter. It is our understanding that pursuant to Supreme Court Order 2020-05-29-02 no filing fee is required for this motion nor are we required to file additional copies of the motion.

By copy of this letter, we hereby serve Appellant's Motion on counsel for Respondent.

Should you have any question or need anything further at this time, please do not hesitate to contact me.

Sincerely yours,


Gene M. Connell, Jr.

GMCJr:sm
Enclosures

cc w/enc.: David L. Paavola, Esquire
Keith M. Babcock, Esquire

KELAHER CONNELL & CONNOR, P.C.
Attorneys at Law
P. O. Drawer 14547
Surfside Beach, SC 29587-4547

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SC Court of Appeals

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Clerk, South Carolina Court of Appeals
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