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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM Horry County
Court of Common Pleas

The Honorable R. Markley Dennis, Jr., Circuit Court Judge
Case No. 2018-CP-26-00120

Appellate Case No. 2021-000078

East Cherry Grove Realty Co., LLC and Ray & Nixon, LLC. Respondents

vs.

State of South Carolina; South Carolina Department of Health
and Environmental Control; and Matt Leonhard, Defendants

Of Whom:

The State of South Carolina is the..... Appellant

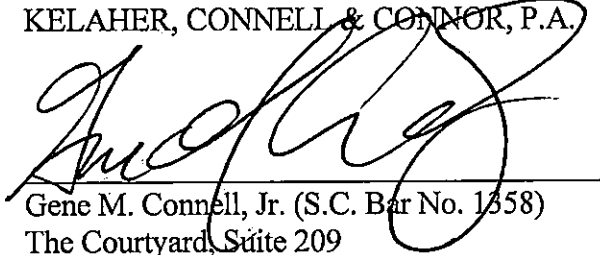
**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S
INITIAL BRIEF AND DESIGNATION OF MATTER**

YOU WILL PLEASE TAKE NOTICE that the undersigned, as attorney for the Respondents, moves this Court for an Order extending the time to file Respondents' Initial Brief and Designation of Matter currently due on May 5, 2021 in the captioned case. The basis of this motion is Respondent's counsel has a two-week construction trial beginning on May 17, 2021 and discovery is still ongoing daily. Further, Respondent's counsel was notified yesterday (April 26, 2021) that he is date certain for a jury trial on June 1, 2021.

WHEREFORE, Respondents' counsel respectfully requests this Court issue its Order granting Respondents an extension to June 28, 2021 to file Respondents' Initial Brief and Designation of Matter. This is Respondent's first request for extension in this 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
Post Office Drawer 14547
Surfside Beach, South Carolina 29587-4547
(843) 238-5648 (phone)
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gconnell@classactlaw.net
Attorney for Respondents

April 27, 2021
Surfside Beach, South Carolina

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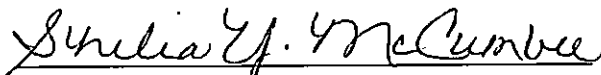
Of Whom:

The State of South Carolina is the..... Appellant

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 **Motion for Extension to File Respondents' Initial Brief and Designation of Matter** on the Respondent, on the 28th day of April, 2021, by depositing a copy of same in the United States Mail, postage prepaid, to:

J. Emory Smith, Jr., Deputy Solicitor General
Alan Wilson, Attorney General
Robert D. Cook, Solicitor General
Post Office Box 11549
Columbia, SC 29211


Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,
this 28th day of April, 2021.

Donna H. Hand

Notary Public for South Carolina

My Commission Expires: 3-28-26

KELAHER, CONNELL & CONNOR, P.C.

ATTORNEYS AT LAW

SUITE 209

THE COURTYARD

1500 U.S. HIGHWAY 17 NORTH

P.O. DRAWER 14547

SURFSIDE BEACH, SOUTH CAROLINA 29587

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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

April 27, 2021

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

Re: Appellate Case No. 2021-000078
East Cherry Grove Realty Co., LLC; and Ray & Nixon, LLC v. State of South Carolina;
South Carolina Department of Health and Environmental Control; and Matt Leonhard
C/A No. 2018-CP-26-00120
Our File No. 2017-0321C

Dear Ms. Kitchings:

Enclosed please find Respondents' Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter and Proof of Service in the above-captioned matter. It is our understanding that currently 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 Respondents' Motion on counsel for Appellant.

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.

GM CJr:sm
Enclosures

cc: J. Emory Smith, Jr., Esquire
Alan M. Wilson, Esquire
Robert D. Cook, Esquire

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Attorneys at Law
P. O. Drawer 14547
Surfside Beach, SC 29587-4547

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SC Court of Appeals

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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