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**May 06 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Maite Murphy, Circuit Court Judge

Appellate Case No. 2020-001387  
Case No. 2017-CP-10-5493

Shem Creek Development Group, LLC,..... Respondent,

v.

The Town of Mount Pleasant, South Carolina,..... Appellant.

**MOTION FOR EXTENSION OF TIME TO FILE  
APPELLANT’S INITIAL REPLY BRIEF**

The Appellant Town of Mount Pleasant, South Carolina respectfully moves this Court for an additional ten-day extension of time until May 17, 2021, by which to file and serve its Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal.

The Appellant’s motion is based on the following grounds:

1. The Appellant’s Initial Reply Brief is currently due to be filed and served on May 6, 2021.

2. The undersigned counsel requires additional time to complete the Appellant’s Initial Reply Brief because the undersigned counsel has had numerous other obligations and deadlines that will prevent him from completing the Appellant’s Initial Reply Brief by the current deadline, including depositions, court appearances, another appellate brief due in this Court on May 10, 2021,

and a federal court brief due on May 7, 2021. The undersigned counsel also learned of a death in his family on May 5, 2021, which has also delayed his ability to complete this brief by the current deadline.

3. The undersigned counsel has consulted with Respondent's counsel who has consented to the requested 10-day extension.

WHEREFORE, the Appellant respectfully requests that it be allowed until Monday, May 17, 2021, by which to file and serve its Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN & DAVIS, P.A.

BY: s/ Andrew F. Lindemann

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*Counsel for Appellant Town of Mount Pleasant*

May 6, 2021

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CERTIFICATE OF SERVICE

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Pursuant to Section (g)(3) of the Supreme Court's Order Re: Operation of the Trial Courts During the Coronavirus Emergency (as amended May 29, 2020), the undersigned employee of Lindemann & Davis, P.A., counsel for the Appellant, does hereby certify that service of the **Motion for Extension of Time to File Appellant's Initial Reply Brief** was made upon all counsel of record by email only this the 6th day of May 2021:

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*s/ Andrew F. Lindemann*

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May 6, 2021

**Via Email Only**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

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RE: Shem Creek Development Group, LLC v. The Town of Mount Pleasant, South Carolina  
Appellate Case Number: 2020-001387  
Civil Action Number: 2017-CP-10-5493  
Our File Number: 79.20381

Dear Ms. Kitchings:

In accordance with Section (c)(5) of the Supreme Court's Order RE: Operation of the Appellate Courts During the Coronavirus Emergency (as amended May 29, 2020), please find enclosed for filing by email only the **Motion for Extension of Time to File Appellant's Initial Reply Brief** in the above referenced matter. In accordance with Section (g)(3) of this same order, I am hereby serving copies on all counsel of record by email only. If you have any questions, please advise.

Sincerely,

LINDEMANN & DAVIS, P.A.

Andrew F. Lindemann

AFL/jmb  
Enclosure

cc: E. Brandon Gaskins, Esquire (w/ Enclosure, Via Email Only)  
David G. Pagliarini, Esquire (w/ Enclosure, Via Email Only)  
Claudius O. Tackett, II, Esquire (w/ Enclosure, Via Email Only)