

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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MAY 26 2021

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas  
Michael G. Nettles, Circuit Court Judge

**SC Court of Appeals**

Lower Court Case No.: 2018CP2200824  
Court of Appeals Case No.: 2021-000325

Evarista Juan Lorenzo,

Appellant,

v.

Port City Elevator, Inc.; Alan Topper d/b/a All Construction;  
2020 Custom Contractors a/k/a 2020 Custom Contractors, LLC;  
Citadel Site Management, LLC; DVBT Construction a/k/a DVBT  
Construction, LLC; DVBT Multiservices, LLC; Beverly Construction  
Group, LLC; Beverly Homes, LLC; Beverly Homebuilders, LLC;  
Strand Paint Contractors, LLC; Depaz Painting, LLC; Enhanced  
Heating & Air Conditioning, LLC; Carlton Pender, and Joan Pender,

Defendants,

Of Which,

Port City Elevator, Inc.; Alan Topper d/b/a All Construction;  
2020 Custom Contractors a/k/a 2020 Custom Contractors, LLC;  
Citadel Site Management, LLC; DVBT Construction a/k/a DVBT  
Construction, LLC; DVBT Multiservices, LLC; Beverly Construction  
Group, LLC; Beverly Homes, LLC; Beverly Homebuilders, LLC;  
Strand Paint Contractors, LLC; Depaz Painting, LLC and Enhanced  
Heating & Air Conditioning, LLC,

Respondents

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

Pursuant to Rule 240, SCACR, appellant Evarista Juan Lorenzo (“Lorenzo”) moves for  
an extension of time in which to serve and file Appellant’s Initial Brief and Designation of

Matter to be included in the Record on Appeal (“Designation of Matter”). Lorenzo requests an extension of thirty (30) days to file the Initial Brief and Designation of Matter which may be due June 4, 2021. This is the first request for an extension filed by Lorenzo.

The grounds for this motion are that Lorenzo has an outstanding transcript request for the lower court hearing that took place on December 4, 2020. On May 5, 2021, Lorenzo received the transcript for the hearing that took place on February 23, 2021. However, Lorenzo has been informed that the reporter for the December 4, 2020, hearing has retired her position with the Court. On March 31, 2021, Lorenzo forwarded her request for the December 4, 2020, hearing transcript to the Court Reporter Case Manager with the South Carolina Court Administration. Lorenzo would show that she is appealing both lower Court Orders and has only received the Order from the February 23, 2021, hearing. Lorenzo has not yet received the December 4, 2020, transcript. Therefore, in an abundance of caution, Lorenzo is seeking an extension of time to allow the Court Administration to process her transcript request from the December 4, 2020, hearing.

Lorenzo would show that a thirty (30) day delay will not prejudice the rights of any of the parties. Lorenzo would further show that counsel for all parties to this case have been notified of her intent to file this motion and no party has objected. Granting this motion would require the Initial Brief and Designation of Matter to be filed with the Court no later than Monday, July 5, 2021.

For these reasons, Lorenzo requests an extension of the deadline for filing and serving the Initial Brief and Designation of Matter until July 5, 2021.

Dated this the 24<sup>th</sup> day of May 2021.

***Signature Page Follows***

*P. Brooke Eaves Wright*

Ian D. Maguire, Esquire

SC Bar No.: 66587

P. Brooke Eaves Wright, Esquire

SC Bar No.: 102021

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TD BANK, N.A.  
67-219/539

21528

5/21/2021

PAY TO THE ORDER OF South Carolina Court of Appeals

\$ \*\*50.00

Fifty and 00/100\*\*\*\*\*

DOLLARS

VOID AFTER 60 DAYS

South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

MEMO

Filing Fee: to file Motion



*Jim Maguire*  
MP  
AUTHORIZED SIGNATURE

HEAT SENSITIVE

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Case No. 2018CP2200824

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Evarista Juan Lorenzo,.....Appellant,

vs.

Port City Elevator, Inc.; Alan Topper d/b/a Toppers All Construction; 2020 Custom Contractors LLC; DVBT Construction a/k/a DVBT Construction, LLC; DVBT Multiservices, LLC; Beverly Construction Group, LLC; Beverly Homes, LLC; Beverly Homebuilders, LLC; Strand Paint Contractors, LLC; DePaz Painting, LLC; and Enhanced Heating & Air Conditioning, LLC,.....Respondents.

**PROOF OF SERVICE**

I, the undersigned, of the Maguire Law Firm, attorneys for Appellant, hereby certify that I have served the foregoing documents this the 24<sup>th</sup> day of May 2021 via electronic service to the following individual at the following address:

DOCUMENTS SERVED:

- **Motion for Extension of Time for Appellant to Serve and File Initial Brief and Designation of Matter to be included in the Record on Appeal**

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*Continued on Next Page*

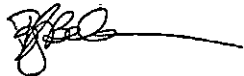
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**SC Court of Appeals**

*Ian D. Maguire\**  
*Brooke E. Wright*  
*Brittney F. Jones*  
*Tiffany Buffkin*

*\*Licensed in North & South Carolina*



BARBARA J. BELCHER  
Litigation Paralegal  
barb@maguirelawfirm.com

May 24, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Evarista Juan Lorenzo v. Port City Elevator, Inc.; et al  
Appellate Case No.: 2021-000325  
ML File No.: 1004384

Dear Ms. Kitchings:

Please find enclosed herein the original and seven (7) copies of the Motion for Extension of Time for Appellant to Serve and File Initial Brief and Designation of Matter to be included in the Record on Appeal. Also enclosed, please find a firm check in the amount of \$50.00 for the applicable filing fee for this Motion. Please file stamp the extra copy and return the same to our office in the enclosed self-addressed stamped envelope.

By copy of this correspondence I am notifying all counsel of record of this communication with the Court.

With kind regards, I am,  
Sincerely,

Barbara J. Belcher  
Paralegal for Ian D. Maguire, Esquire  
BJB/bb  
Enclosures

cc: Evarista J. Lorenzo  
David Starr Cobb, Esquire  
William Wharton Watkins Jr., Esquire  
Joseph John Dodds IV, Esquire  
Morgan S. Templeton, Esquire  
Lee Cannon Weatherly, Esquire  
Katherine Ann Walker, Esquire  
Robert Michael Ethridge, Esquire  
Joshua Daniel Shaw, Esquire  
Brandy Gillette Price, Esquire  
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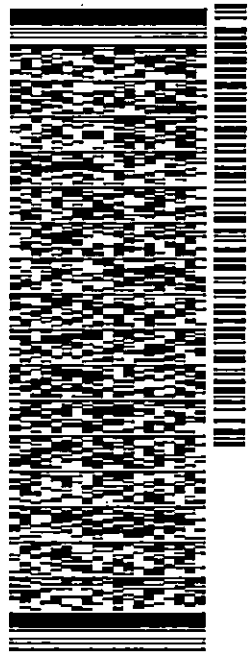
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COLUMBIA SC 29201

REF: (803) 734-1800  
PO: NV

DEPT:

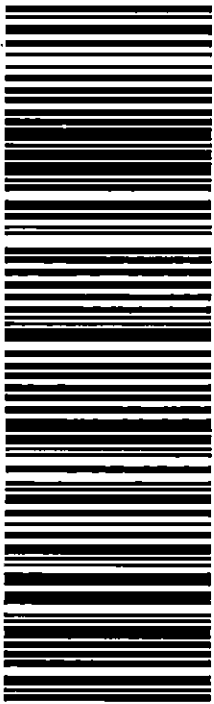


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SC Court of Appeals

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