

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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**RECEIVED**

**Sep 10 2021**

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

S.C. SUPREME COURT

Honorable Roger M. Young, Sr., Circuit Court Judge

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Appellate Case No. 2018-000906

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Sea Island Food Group, LLC, d/b/a Squeeze.....Plaintiff

V.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises, Hilton Smith.  
East Bay Company, Ltd., Michael J. Quillen Family Limited Partnership....Defendants

Michael J. Quillen Family Limited Partnership.....Third- Party Plaintiff

V.

Top of the Bay, LLC.....Third-Party Defendant

Top of the Bay, Inc. d/b/a Club Light ..... Fourth-Party Plaintiff, Respondent/Appellate

V.

Yaschik Development Company, Inc.,  
d/b/a Yaschik Enterprises .....Fourth-Party Defendant, Appellate/Respondent

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MOTION TO FILE OUT OF TIME

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Respondent does hereby move/petition the Honorable South Carolina Court of Appeals for an Order enlarging the time to file Respondent's Return to Appellant's Petition for Writ of Certiorari pursuant to SCACR Rule 240. The grounds for this Motion are that Respondent's Return was timely filed, but exceeded the twenty-five (25) page limit. An email notice of the defect was provided by the Clerk's office, but was in an email string forwarded to Attorney Swope from his office to his phone. The string made it appear that the Court was inquiring if opposing counsel had received the submission, rather than requiring an amendment of the submission. Upon notification of the error, this Motion is being

filed and the amended submission will be filed before close of business on Monday, September 113, 2021.

Respectfully submitted,

S/ William K. Swope

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Charleston, SC

September 10, 2021