

**RECEIVED**

**Nov 08 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Appeal from Charleston County  
Court of Common Pleas, Ninth Judicial Circuit  
Hon. Judge Bentley D. Price, Circuit Court Judge, Presiding

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2020-001030

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Maybank 2754, LLC.....Appellant,

Versus

Eugene Zurlo, Individually and as co-trustee of the Eugene J. Zurlo Living Trust Dated  
December 11, 1997; 1776, LLC; Beach Fenwick, LLC; The Beach Company; Seamon,  
Whiteside & Associates, Inc.; Penny Creek Associates, LLC; John Doe and Mary  
Roe.....Respondents.

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**MOTION TO FILE  
THE RECORD ON APPEAL  
OUT OF TIME, AND MOTION FOR  
EXTENSION OF TIME TO FILE THE  
RECORD ON APPEAL**

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s/Scarlet B. Moore

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Scarlet B. Moore, #72534  
Attorney for Appellant, Maybank 2754, LLC  
P.O. Box 17615  
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(864) 214-5805  
(864) 752-0930 (FAX)

November 8, 2021

**NOW INTO COURT**, comes the Appellant Maybank 2754, LLC, who moves this Honorable Court for an Order permitting the Appellant to file the Record on Appeal out of time, and for an extension of time to file the Record on Appeal, for the following reasons, to wit:

The Court in its letter of November 8, 2021 regarding this matter, indicated that the Record on Appeal has not been filed with this Court. On August 18, 2021, the bound hard copy of the Record on Appeal was received by the S.C. Court of Appeals. However, pursuant to the court's letter of November 8, 2021, Appellant is filing a copy of the Record on Appeal electronically on the date of this motion. All final briefs have been prepared in this matter. Counsel respectfully requests that this Court permit the Appellant to file the Record on Appeal electronically on the date of this motion.

**WHEREFORE**, the Appellant prays that this Honorable Court will permit the Appellant to file the Record on Appeal out of time, and for an extension to file the Record on Appeal until the date of this motion.

Respectfully Submitted,

s/Scarlet B. Moore

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December 11, 1997; 1776, LLC; Beach Fenwick, LLC; The Beach Company; Seamon,  
Whiteside & Associates, Inc.; Penny Creek Associates, LLC; John Doe and Mary  
Roe.....Respondents.

**CERTIFICATE OF SERVICE**

I certify that on this date, November 8, 2021, I have served the **Appellant’s Motion to File the Record on Appeal Out of Time and for an Extension of Time to Serve the Record on Appeal**, on opposing counsel to their respective e-mail addresses, pursuant to the Order of the Supreme Court Appellate Case No, 2020-000447(g)(3):

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Respectfully Submitted,

s/Scarlet B. Moore

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November 8, 2021  
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SC Court of Appeals

November 8, 2021

**VIA ONE DRIVE UPLOAD:**

Jenny Abbott Kitchings  
Clerk, The South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

**RE: Maybank 2754, LLC, Appellant vs. Eugene J. Zurlo, Individually and as  
Co-Trustee of the Eugene J. Zurlo Living Trust dated December 11, 1997;  
Beach Fenwick, LLC; The Beach Company;  
Seamon, Whiteside & Associates, Inc.; Penny Creek Associates, LLC;  
John Doe and Mary Roe, Respondents  
Case Number: 2020-001030**

Dear Madam Clerk,

Enclosed please find the Appellant's Motion to File the Record on Appeal Out of Time and for an Extension of Time to File the Record on Appeal, and a Certificate of Service, in the above titled matter.

If the Court requires further information, please do not hesitate to contact me.  
With kind regards, I remain

Very Truly Yours,

s/Scarlet B. Moore

Scarlet B. Moore, Esq.  
Counsel for Appellant

SBM/s

Cc: *via Email:*

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