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Feb 04 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2016-CP-10-01833
Appellate Case No. 2021-001055

Andrew and Kimberly McIntire,

Appellants,

v.

Sequest Development Company, Inc.; Red Bay Constructors Corp.;
Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction;
Coastal Window & Door Center of Charleston, LLC; Carolina Window &
Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC;
Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets;
Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.;
Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a
Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions,
Inc.; and New South Construction Supply, LLC,

Defendants.

and

Sequest Development Company, Inc.,

Third-Party Plaintiff/Appellant,

v.

Architectural Products of Charleston, LLC, and
Sealtight of South Carolina, LLC,

Third-Party Defendants,

Of which Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.;
Jonathan Marshall Construction; Coastal Window & Door Center of Charleston,
LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-
Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a
Casteen Custom Cabinets; Quality Cedar Products, Inc. of Michigan d/b/a
Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.;

Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; New South Construction Supply, LLC, Architectural Products of Charleston, LLC; Sealtight of South Carolina, LLC; Architectural Products of Charleston, LLC, and Sealtight of South Carolina, LLC are

Respondents.

**APPELLANT SEAQUEST DEVELOPMENT COMPANY, INC.'S
MOTION FOR ONE-WEEK ADDITIONAL EXTENSION OF TIME
TO FILE/SERVE INITIAL BRIEF**

CLEMENT RIVERS, LLP

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Attorneys for Appellant

Sequest Development Company, Inc.

NOW COMES Third-Party Plaintiff/Appellant, Seaquest Development Company, Inc. (“Seaquest”), by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, hereby moves this Honorable Court for an extension of one (1) more week, i.e., from today, Friday, February 4, 2022, to next Friday, February 11, 2022, to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal.

By order filed January 10, 2022, the Court extended the deadline for Seaquest’s initial brief to today, February 4, 2022. Although the undersigned had in good faith expected to have the brief completed by today, on account of work-related and other time commitments—to include the coincidence of a larger than usual number of deadlines around this same time (among them two reply briefs and a petition for rehearing due on February 7th and an oral argument on February 9th) and disruption to his normal work schedule associated with a recent family trip—he is in need of some additional time (namely, one more (1) week, i.e., to next Friday, February 11, 2022) to complete Seaquest’s initial brief, and humbly submitting that the relief requested herein is warranted as an appropriately modest dispensation that is consistent with the interests of justice and will not result in any undue prejudice or hardship to any other party, he hopes the Court will deem the

circumstances worthy thereof.¹

WHEREFORE, Seaquest moves for one (1) additional week to file/serve its initial brief and any corresponding designation of matter to be included in the record on appeal, i.e., an extension to Friday, February 11, 2022. Further, Seaquest respectfully requests that the Court hold its present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,
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Charleston, South Carolina

February 4, 2022

¹ Please know that the undersigned recognizes that the Court's January 10th order states, "No further extensions will be granted absent extraordinary circumstances," and that he does not make the instant motion lightly.

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Casteen Custom Cabinets; Quality Cedar Products, Inc. of Michigan d/b/a
Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.;

Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; New South Construction Supply, LLC, Architectural Products of Charleston, LLC; Sealtight of South Carolina, LLC; Architectural Products of Charleston, LLC, and Sealtight of South Carolina, LLC are

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Sequest Development Company, Inc.

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant Seaquest Development Company, Inc., hereby certify that **APPELLANT SEAQUEST DEVELOPMENT COMPANY, INC.'S MOTION FOR ONE-WEEK ADDITIONAL EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF** was served on all parties to this matter (who have appeared in the action) on February 4, 2022, by emailing (see attached) a copy of the same to their respective counsel of record:

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Charleston, South Carolina

February 4, 2022

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Subject: McIntire v. Seaquest (Appellate Case No. 2021-001055) -- Seaquest's Motion for Extension to 2-11-22 to File/Serve Initial Brief
Date: Friday, February 4, 2022 10:57:16 PM
Attachments: [image001.png](#)
[McIntire v. Seaquest -- Appellant Seaquest's Mot. for Ext. to 2-11.pdf](#)

Attached regarding the above-referenced matter, please find **Appellant Seaquest Development Company, Inc.'s Motion for One-Week Additional Extension of Time to File/Serve Initial Brief.**

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