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Feb 15 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Perry Gravely, Circuit Court Judge

CIVIL ACTION NOS. 2021-CP-23-01494 &
2021-CP-23-01501

Frances Baty, Helene Lambert, Michael Evatt,
O.D. Strickland, Bonnie Spearman, Allison Morton,
Brian Morton, Janel Lamb, and Henry Lamb..... Appellants,

vs

Greenville County Planning Commission and
Mark III Properties, LLC Respondents.

RESPONDENT GREENVILLE COUNTY
PLANNING COMMISSION'S SECOND MOTION
FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF

Respondent Greenville County Planning Commission requests that the Court of Appeals extend the Planning Commission's deadline for filing its Initial Respondent's Brief and Designation of Matter to be Included in the Record on Appeal by an additional 30 days. The Commission makes this request because the Appellants and Respondent Mark III Properties, Inc.'s attorneys have informed us that they have reached a settlement in principal and that the filing of Respondents' briefs will be unnecessary. In light of this representation, Respondent Greenville County Planning

Commission wishes to avoid the time and expense of continued research and preparation of an appellate brief that will likely serve no purpose and never be filed.

Previously, we had asked the Court to extend the deadline for filing initial Respondent's briefs and record designations to February 21, 2022. We now ask that the Court extend the deadline to March 23, 2022.

This motion marks the second time that this Respondent has requested a briefing extension.

We have spoken with the attorneys for the Appellants and Co-Respondent Mark III Properties, LLC, and all attorneys do not object to this request.

s/Christopher R. Antley
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Planning Commission

Date: February 10, 2022
Greenville, South Carolina

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vs

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RESPONDENT GREENVILLE COUNTY
PLANNING COMMISSION'S CERTIFICATE OF
SERVICE

I, Gloria Berry, certify that I served the Appellants and Respondent Mark III Properties, LLC with Greenville County Planning Commission's Second Motion for Extension on February 15, 2022 by emailing a copy to their attorneys of record at *chris@brumbacklangle.com; jj@palmettolawfirm.com; LBurke@bannisterwyatt.com; MTorricos@bannisterwyatt.com* and by depositing a copy in the United States Mail addressed as follows:

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No. 13631

Date: February 15, 2022
Greenville, South Carolina