

RECEIVED
Apr 04 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2019-CP-18-689
Appellate Case No. 2020-000077

The Shops at Wescott, LLC, Respondent,

v.

Sake House IV, Inc. d/b/a Sake House IV Appellants.
and Lei Jiang,

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE APPELLANT'S INITIAL
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON
APPEAL AND/OR MOTION TO FILE APPELLANT'S INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL OUT OF
TIME

Appellant hereby moves pursuant to Rule 263(b), SCACR, Rule 208, SCACR, and Rule 209, SCACR for an extension of the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case and/or to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal out of time. Undersigned counsel for Appellant received the transcript on March 2, 2022. Therefore, the deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal appears to be April 1, 2022. However, counsel for Appellant initially

believed that the transcript had been received on March 3, 2022 (the point in time in which he discovered and responded to the court reporter's email). As such, the calendar reflected a receiving date of March 3, 2022 which would have placed deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on April 4, 2022.

Presently, the undersigned counsel has been delayed by unanticipated personal and professional obligations and intended to seek an extension of time on April 4, 2022. This would be the first extension that Appellant has sought. Appellant's counsel believes that there is good cause to grant the requested extension and/or filing out of time to allow for a service and filing date of April 8, 2022. Appellant's counsel believes that this short extension will not prejudice the other party.

WHEREFORE, the Appellant prays that this Court enter an order extending the time in which to serve and file his Initial Brief and Designation of Matter to be Included in the Record on Appeal to April 8, 2022.

Respectfully submitted,

Evan A. Smith
Evan A. Smith (SCB#100991)
Evan Smith Law Firm, LLC
P.O. Box 976
Charleston, SC 29402
(843) 804-8550
Attorney for Appellant

April 4, 2022
Mount Pleasant, SC

RECEIVED

Apr 04 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2019-CP-18-689
Appellate Case No. 2020-000077

The Shops at Wescott, LLC, Respondent,

v.

Sake House IV, Inc. d/b/a Sake House IV Appellants.
and Lei Jiang,

PROOF OF SERVICE

The undersigned hereby certifies that he served counsel for the Respondent, The Shops at Wescott, LLC, through their attorney, C. Brandon Belger, with a copy of the *Motion for Extension of Time to Serve and File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal and/or Motion to File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal Out of Time* by mailing a copy of the same by United States Mail with first class postage to the following address on April 4, 2022.

C. Brandon Belger
Koontz Mlynarczyk LLC
1058 East Montague Avenue
North Charleston, SC 29405

April 4, 2022.

s/ Evan A. Smith
Evan A. Smith

127 King Street, Suite 203
Charleston, SC 29401
Tel: 843.804.8550
Fax: 843.203.5708



PO Box 976
Charleston, SC 29402
www.evansmithlawfirm.com
evan@evansmithlawfirm.com

April 4, 2022

Via E-Mail

Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

RECEIVED

Apr 04 2022

SC Court of Appeals

Re: The Shops at Wescott, LLC v. Sake House IV, Inc. d/b/a Sake House IV and Lei
Jiang
Case No.: Appellate Case No. 2020-000077; 2019-CP-18-689

Dear Ms. Kitchings:

Enclosed please find a *Motion for Extension of Time to Serve and File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal and/or Motion to File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal Out of Time* in the above-referenced case. We have also enclosed the Proof of Service of the same.

Thank you for your assistance in this matter.

Respectfully,

Evan A. Smith

Enclosures (as stated)
cc: C. Brandon Belger, Esq.