

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Jan 23 2023

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Joseph M. Strickland, Master In Equity

Appellate Case No. 2022-001597

Capital Bank, N.A., formerly known as NAFH National Bank,
successor in interest to Carolina National Bank and Trust Company, and to
First National Bank of the South,Appellant,

v.

Rosewood Holdings, LLC, D. Christopher Twitty, and
First Citizens Bank and Trust Company, Inc., Defendants,

Of which Rosewood Holdings, LLC and D. Christopher Twitty are Respondents.

MOTION FOR EXTENSION

Appellant’s Initial Brief and Designation is due January 23, 2023. Appellant respectfully requests a one-week extension, making the Brief and Designation due on January 30, 2023.

This Court recently granted a second extension of 10-days for Appellant's Initial Brief due to the illness of undersigned counsel. This third extension request of one week is necessary, because counsel's illness continued longer than expected. The extension would make the Initial Brief of Appellant and Designation due on or before Monday, January 30, 2023. Undersigned counsel has now recovered fully and no further extension request will be needed absent extraordinary and unforeseen circumstances.

/s/Robert L. Widener
Robert L. Widener
BURR & FORMAN, LLP
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

January 23, 2023
Columbia, SC

ATTORNEYS FOR APPELLANT

RECEIVED
Jan 23 2023
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Joseph M. Strickland, Master-In-Equity

Appellate Case No. 2022-001597

Capital Bank, N.A., formerly known as NAFH National Bank,
successor in interest to Carolina National Bank and Trust Company,
and to First National Bank of the South,.....Appellant,

v.

Rosewood Holdings, LLC, D. Christopher Twitty, and
First Citizens Bank and Trust Company, Inc.,..... Defendants,

Of which Rosewood Holdings, LLC and D. Christopher Twitty are Respondents.

CERTIFICATE OF SERVICE

I, Ann Shuler, an employee of Burr & Forman LLP and counsel for the Appellant, certify that I have served the Motion for Extension on counsel for the Respondents via email and U.S. Mail at the addresses listed below, on January 23, 2023:

Spencer Andrew Syrett
Post Office Box 7403
Columbia, SC 29202
syrettlaw@sc.rr.com

Ian D. McVey
Turner Padget Graham & Laney, P.A.
1901 Main Street, 17th Floor
Columbia, SC 29201
imcvey@turnerpadget.com

Columbia, SC


Ann Shuler

RECEIVED

Jan 23 2023

SC Court of Appeals

BURR • FORMAN LLP
results matter

Robert L. Widener
rwidener@burr.com

1221 Main Street
Suite 1800
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

Office (803) 799-9800
Fax (803) 753-3278

BURR.COM

January 23, 2023

VIA EMAIL (CTAPPFILINGS @sccourts.org)

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

**Re: Capital Bank, N.A. -v- Rosewood Holdings, LLC
Appellate Case No.: 2022-001597**

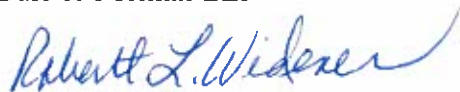
Dear Madam Clerk:

Attached for filing, please find a Motion for Extension to serve and file Appellant's Initial Brief and Designation of Matter to be Included in Appeal, along with the Certificate of Service for same. The filing fee of \$50 will be hand delivered to the Court today. Counsel for the Respondents have been served via U.S. Mail, and are included in this email filing.

Thank you for your assistance in this matter.

Sincerely,

Burr & Forman LLP



Robert Widener

RLW/as

Attachments

cc: Spencer Andrew Syrett
Ian D. McVey