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May 02 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

APPEAL FROM BEAUFORT COUNTY

Marvin H. Dukes, III, Master in Equity

Appellate Case No. 2023-000421

Southern First Bank..... Appellant,

v.

Kenneth J. Vilcheck, Renee M. Vilcheck, Portfolio
Recovery Associates, LLC, The Federal Housing
Commissioner, The Department of the Treasury –
Internal Revenue Service, and The South Carolina
Department of Revenue..... Respondents.

MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF

Appellant, Southern First Bank, by and through their undersigned attorney, respectfully moves this Court for an Order granting them ability to serve and file their initial brief outside the filing deadline set by Rule 208 of the South Carolina Appellate Court Rules, and in support of this motion, Appellant states and respectfully shows the following:

1. The current deadline to file Appellant’s Initial Brief is May 5, 2023. There is an outstanding Motion to Dismiss on which the Court has not yet made a ruling.
2. Appellant respectfully requests a thirty (30) day extension after the Court rules on the Motion to Dismiss for the filing of their Initial Brief and Designation of Matter.
3. Appellant has received consent from opposing counsel for Respondents for a thirty (30) day extension from the date the Court rules on the Motion to Dismiss for the filing of

the Initial Brief and Designation of Matters.

4. For these reasons, the Appellant is requesting the time to file their Initial Brief and Designation of Matter be extended by thirty (30) days from the date the Court rules on the outstanding Motion to Dismiss.

SMITH HUDSON LAW, LLC

s/ Joseph O. Smith

Joseph O. Smith (S.C. Bar No. 77475)

Joshua J. Hudson (S.C. Bar No. 100311)

200 N. Main Street, Suite 301-C

Greenville, SC 29601

Phone: (864) 908-2912

jsmith@roecassidy.com

jhudson@roecassidy.com

Attorneys for Appellant

May 2, 2023

Greenville, South Carolina

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PROOF OF SERVICE

The undersigned hereby certifies that on May 2, 2023, he served the foregoing Appellant’s Motion for Extension of Time to File Initial Brief by emailing a copy to the persons below listed for opposing counsel on AIS pursuant to SCACR 262 as amended by the Supreme Court’s August 25, 2021 Order, addressed as follows:

Aaron J. Angell
Luke R. Hoopes
aaron@angellmolony.com
luke@angellmolony.com
18 E. North St., Ste. 302
Greenville, SC 29601

Andrew S. Radeker
drew@harrisonfirm.com
PO Box 50143
Columbia, SC 29250

Robert M. Sneed, Asst. United States Attorney
Robert.sneed@usdoj.gov
55 Beattie Place, Ste. 700
Greenville, SC 29601

Kiera C. Dillon
Kiera.dillon@dor.sc.gov
300A Outlet Pointe Blvd.
Columbia, SC 29210

SMITH HUDSON LAW, LLC

s/ Joseph O. Smith

Joseph O. Smith (S.C. Bar No. 77475)

Joshua J. Hudson (S.C. Bar No. 100311)

200 N. Main Street, Suite 301-C

Greenville, SC 29601

Phone: (864) 908-2912

jsmith@smithhudsonlaw.com

jhudson@smithhudsonlaw.com

Attorneys for Appellant

May 2, 2023

Greenville, South Carolina