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Jun 22 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas  
Gordon G. Cooper, Master-in-Equity

Appellate Case No. 2020-000454

U.S. Bank, NA, as trustee relating to the Chevy Chase Funding, LLC Mortgage Backed  
Certificates, Series 2004-B, .....Plaintiff,

v.

Alyce F. Otto, Individually; Alyce F. Otto, Trustee Under Declaration of Trust of Alyce  
F. Otto dated the 17<sup>th</sup> of November 2009; TD Bank, NA; The United States of America,  
acting by and through its agency, the Internal Revenue Service; Laura Kerhulas Giese,  
as Co-Trustee of the Theodore Ernest Kerhulas Trust Under Declaration of Trust dated  
May 25, 2004; Mark Warner Kerhulas, as Co-Trustee of the Theodore Ernest Kerhulas  
Trust Under Declaration of Trust dated May 25, 2004; Jackson L. Munsey, Jr.;  
Citibank, NA, .....Defendants,

and

Alyce F. Otto, Trustee Under Declaration of Trust of Alyce F. Otto dated November  
17, 2009.....Plaintiff,

v.

Jackson L. Munsey, Jr.....Defendant.

of whom Jackson L. Munsey, Jr., is the.....Appellant,

and

Alyce F. Otto, Individually; Alyce F. Otto, Trustee Under Declaration of Trust of Alyce  
F. Otto dated the 17<sup>th</sup> of November 2009; Laura Kerhulas Giese, as Co-Trustee of the  
Theodore Ernest Kerhulas Trust Under Declaration of Trust dated May 25, 2004; Mark  
Warner Kerhulas, as Co-Trustee of the Theodore Ernest Kerhulas Trust Under  
Declaration of Trust dated May 25, 2004 are the.....Respondents.

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MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING

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Appellant hereby moves pursuant to Rule 263(b), SCACR, for an extension through July 20, 2023, of his time to petition for rehearing in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The deadline to petition for rehearing in this case is presently June 29, 2023.
2. Appellant is still deciding whether to pursue rehearing in this case.
3. Appellant's counsel has what is likely to be an involved and lengthy hearing today, as well as a brief in a certiorari case due tomorrow to the Supreme Court. Also, he has plans to be on a short vacation from June 25 through June 28.
4. Further, Appellant's counsel is currently scheduled to have a federal district court trial in the second week of July.
5. Accordingly, an extension is warranted.
6. The Respondents consent to the extension sought.
7. The undersigned has served this document on opposing counsel by email to registered AIS email address on the date given below.

WHEREFORE Appellant prays for an order granting an extension through July 20, 2023, of his time to petition for rehearing in this case.

Respectfully submitted,

/s/ Andrew S. Radeker

Andrew S. Radeker

S.C. Bar No. 73743

Harrison, Radeker & Smith, P.A.

Post Office Box 50143

Columbia, South Carolina 29250

(803) 779-2211

drew@harrisonfirm.com

Attorney for Appellant

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PROOF OF SERVICE

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I certify that I served the foregoing motion for extension in this case by providing a copy of it by email to opposing counsel at the email address(es) shown below and on the date shown below:

Sarah P. Spruill, Esq.  
sspruill@hsblawfirm.com

Max T. Hyde, Jr., Esq.  
max@maxhydelawfirm.com

Samantha N. Larkins, Esq.  
samantha@maxhydelawfirm.com

David L. Walsh, Esq.  
dlwalsh@gainesandwalsh.com

Respectfully submitted,

/s/ Andrew S. Radeker  
Andrew S. Radeker  
S.C. Bar No. 73743  
Harrison, Radeker & Smith, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
drew@harrisonfirm.com  
Attorney for Appellant

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