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Dec 01 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Appellate Case No. 2023-000421

Southern First Bank, N.A. d/b/a Greenville First Bank,.....Appellant,

v.

Kenneth J. Vilcheck, Renee M. Vilcheck, Portfolio Recovery Associates, LLC, United States of America, acting through its agency, Department of Treasury – Internal Revenue Service, Federal Housing Commissioner, The South Carolina Department of Revenue, Belfair Property Owners’ Association, Inc., and the Greenery, Inc. a South Carolina corporation,.....Respondents.

MOTION TO EXTEND DEADLINE TO SERVE AND FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL

Respondents hereby move pursuant to Rule 263(b), SCACR, for an extension of the time in which to serve and file the Respondent’s initial brief and designation of matter to be included in the record on appeal by one business day, to December 4, 2023 (since today is a Friday). The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The subject deadline is today, and Respondent’s counsel has done substantial work on the initial brief but has not yet completed the initial brief. Respondent’s counsel day has progressed unexpectedly,

with several unrelated matters requiring his attention and time, and it now appears unrealistic that he will finish the brief today.

2. Accordingly, a short extension is needed.
3. This is the first extension sought of this deadline.
4. There is good cause for the requested extension.
5. The undersigned has served this document on opposing counsel by email to registered AIS email address on the date given below.

WHEREFORE Respondents pray for an order extending the time in which to serve and file the Respondent's initial brief and designation of matter to be included in the record on appeal by one business day, to December 4, 2023.

Respectfully submitted,

/s/ Andrew S. Radeker  
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Kenneth J. Vilcheck and  
Renee M. Vilcheck

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PROOF OF SERVICE

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I certify that I have served the foregoing motion for extension on the date given below by emailing it to counsel for the Appellant(s) at the address(es) noted below.

Joseph O. Smith, Esq., at [jsmith@smithhudsonlaw.com](mailto:jsmith@smithhudsonlaw.com)  
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Respectfully submitted,

/s/ Andrew S. Radeker  
Andrew S. Radeker  
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Kenneth J. Vilcheck and  
Renee M. Vilcheck

December 1, 2023