

THE STATE OF SOUTH CAROLINA
Supreme Court

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

RECEIVED

MAY - 3 2012

William O. Spencer, Jr., as Special Referee

S.C. Supreme Court

Case No. 2008-CP-13-0025
(Case Tracking No. 2011-189826)

Walter Mortgage Company..... Respondent,

v.

Natasha L. Green and Shilon L. GreenPetitioners.

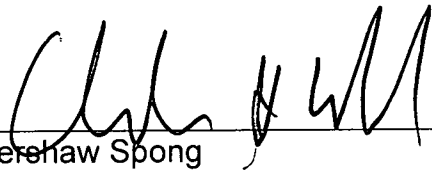
**MOTION TO EXTEND TIME FOR FILING RESPONDENT'S RETURN TO
MOTION TO SUPPLEMENT APPENDIX, OR, ALTERNATIVELY TO FILE
RETURN OUT OF TIME**

Pursuant to Rule 240(e), SCACR, Respondent Walter Mortgage Company ("WMC") files this motion to extend the time for filing its return to the Petitioner's Motion to Supplement Appendix, or, alternatively, to file the Return out of time. Petitioner's motion appears to have been filed with the Clerk of Court for the South Carolina Court of Appeals rather than with the Clerk of Court for the South Carolina Supreme Court. Additionally, while the proof of service for the motion states that the Greens served a copy of the motion on counsel for WMC on April 17, 2012 by certified mail, the proof of service shows an incorrect mailing address for WMC's counsel. Attached hereto as Exhibit "A" is the Motion and Proof of Service.

On all court filings, WMC's counsel has shown its mailing address as: P.O. Box 944, Columbia, S.C. 29202. Indeed, this is the address shown on the cover sheet of all documents filed by the Greens including the Motion to Supplement Appendix. However, the Greens mailed the motion to the street address for WMC's counsel, but used the zip code for the post office box address. WMC submits that such service was improper pursuant to Rule 262(b), SCACR, as the address used by the Greens is not the address provided for service by counsel for WMC.

WMC's counsel can receive mail at its street address, but such mail is not received as timely as mail sent to the post office box address. WMC's counsel received the Petitioner's motion, but is unsure of the exact date of receipt. In this instance, there was no documentation of receipt of the Petitioner's motion by the office of WMC's counsel. WMC's counsel believes that it received the Motion to Supplement Appendix on Monday, April 23rd.

Based upon the foregoing, counsel for WMC moves this Court for an extension of time to file the Return, or, alternatively for leave to file the Return out of time. WMC submits that if, in fact, service was properly made, any failure to file the Return within the required time frame was due to excusable circumstances. Furthermore, Petitioner's would suffer no harm or prejudice by allowing the Return to be filed at this time. WMC submits herewith its Return and asks that same be accepted and deemed timely filed pursuant to Rule 240(e).



J. Kershaw Spong
Charles H. McDonald
ROBINSON, McFADDEN & MOORE, P.C.
Post Office Box 944
Columbia, SC 29202
(803) 779-8900

May 3, 2012

Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
Supreme Court

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

William O. Spencer, Jr., as Special Referee

Case Number 2008-CP-13-000-25

Walter Mortgage Company Respondents

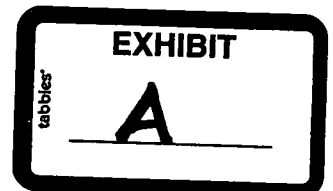
v

Natasha L. Green and Shilon L. Green Petitioners'

Motion to Supplement Appendix

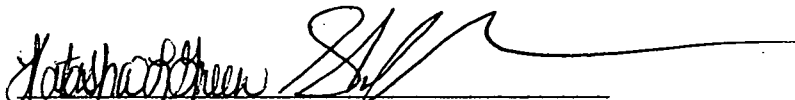
Natasha L. Green and Shilon L. Green
Post Box 334
McBee, SC 29101
Petitioners'
(843)307-4635

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
Post Office Box 944
Columbia, SC 29202
Attorney for Respondent
(803)779-8900



We, the Petitioners, are filing a Motion to Supplement the Appendix to add the following documents into evidence that we submitted to the Court of Appeals. We wanted to include these documents in the Record on Appeal, but the Court of Appeal denied the motion due to Mr. Spong's response to why the court should not allow these documents to be included. One of the documents that Mr. Spong opposed was the Attorney Preference form. The Attorney Preference was one the forms that we signed on the day of closing. There are a few emails that were included in the Record on Appeal, but there are emails that Mr. Spong was opposed to so these documents were omitted. We would like to add these documents as evidence.

April 17, 2012

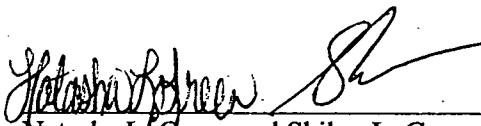

Natasha L. Green and Shilon L. Green

Proof of Service by Mail

We, Natasha L. Green and Shilon L. Green, Petitioners, do hereby certify that we have on April 17, 2012 served a copy of **Motion to Supplement Appendix** on J. Kershaw Spong Attorney for **RESPONDENTS** and Tanya A. Gee, clerk for SC Court of Appeals by mailing a certified copy thereof to the addresses indicated below.

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
1901 Main Street, Ste 1200
Columbia, SC 29202

Tanya A. Gee
SC Court of Appeal
1015 Sumter Street
Columbia, SC 29201



Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

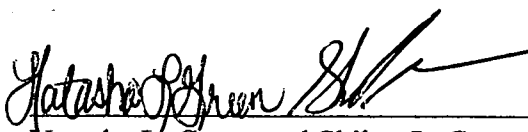
Certificate of Service

This is to certify that we, Natasha & Shilon Green, Plaintiffs, do hereby certify that we have on March 13, 2012 served a copy of our MOTION TO COMPEL THE PRODUCTION OF INFORMATION AND WITNESSES on Brian C. Gambrell, Attorney for Defendant James Owen, and J. Kershaw Spong, Attorney for Jim Walter Homes & Walter Mortgage Company by mailing a certified copy to the following addresses below:

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
Post Office Box 944
Columbia, SC 29202
(803)779-8900

Brian Gambrell
Rogers Townsend & Thomas, P.C.
220 Executive Center Drive
Columbia, SC 29210
(803) 771-7900

March 13, 2012



Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

April 16, 2012

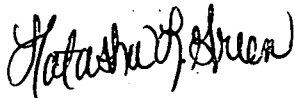
Attn: Clerk
South Carolina Supreme Court
1231 Gervais Street
Columbia, SC 29201

Re: Natasha L. Green and Shilon Green v. Walter Mortgage Company
Case Number 2008-CP-13-000-25
Brief of Petitioners'

To Whom It May Concern:

We recently submitted our Brief to this court. However, we would like to add additional statements and case laws that were presented to the lower court by J. Kershaw Spong, Attorney for Respondents' to our ARGUMENT section of the Brief. We would also like to point out that J. Kershaw Spong, Attorney for Respondent has failed to respond to the questions that we presented in our Writ of Certiorari on April 12, 2011.

Sincerely,



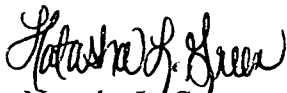
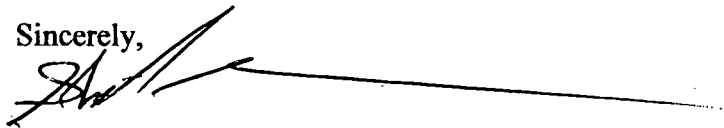
Natasha L. Green and Shilon Green

J. Kershaw Spong, Attorney for Respondent says, "Though the issues were not ruled upon in state court, the questions of whether an attorney was present at the loan closing and whether there was unauthorized practice of law are questions that could have been raised in the previous litigation. In the Record on Appeal page 2, item numbers 9-14 and page 5, item numbers 26-36 provides evidence that the issue was raised the lower courts.

J. Kershaw Spong also states, "The claims Plaintiffs Green raise concerning the unauthorized practice of law are without merit. However, even if there were some truth to the claims, they are not properly before this court because the Supreme Court of South Carolina has sole jurisdiction over such claims. S.C. Const. Art V4; S.C. Code Ann. 40-5-10; Wachovia v. Coffey, 389 S.C. 68, fn2 698 S.E.2d 244, fn2 (Ct. App. 2010) ("The regulation of the practice of law is within the exclusive province of our supreme court").

J. Kershaw Spong, Attorney for Respondent, does not want to allow the Attorney Preference form to be permitted as evidence, even though this document was signed the same day the other loan documents were signed. We were advised by James Hoffman to initial on the No Attorney line because "they do things differently and an attorney was not needed for loans closed with Walter Mortgage and Jim Walter Homes." This issued was also raised in arbitration with Mr. James Bruner and before William Spencer, Special Referee.

Sincerely,



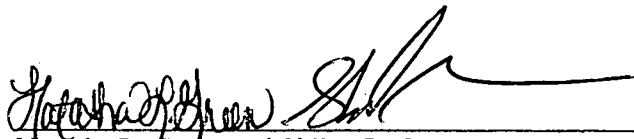
Natasha L. Green and Shilon L. Green

Proof of Service by Mail

We, Natasha L. Green and Shilon L. Green, Petitioners, do hereby certify that we have on April 16, 2012 served a copy of our **LETTER** on J. Kershaw Spong Attorney for RESPONDENTS and Tanya A. Gee, clerk for SC Court of Appeals by mailing a certified copy thereof to the addresses indicated below.

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
1901 Main Street, Ste 1200
Columbia, SC 29202

Tanya A. Gee
SC Court of Appeal
1015 Sumter Street
Columbia, SC 29201

Handwritten signature of Natasha L. Green and Shilon L. Green, written in black ink. The signature is cursive and spans across a horizontal line.

Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

THE STATE OF SOUTH CAROLINA
Supreme Court

APPEAL FROM CHESTERFIELD COUNTY
Court Of Common Pleas

William O. Spencer, Jr., as Special Referee

Case No. 2008-CP-13-00-25

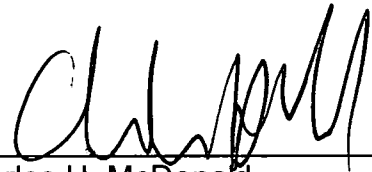
Walter Mortgage Company.....Respondent,

v.

Natasha L. Green and Shilon L. Green..... Petitioners.

Proof of Service

I certify that I have served Respondent's Motion to Extend Time for Filing Respondent's Return to Motion to Supplement Appendix, or Alternatively to File Return Out of Time by placing a copy of same in the United States mail, postage prepaid, addressed to Natasha L. Green, Shilon L. Green, Post Office Box 334, McBee, South Carolina, 29101.



Charles H. McDonald
ROBINSON, MCFADDEN & MOORE, PC
Post Office Box 944
Columbia, South Carolina 29202
(803) 779-8900

Counsel for Respondent

May 3, 2012



ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.

COLUMBIA, SOUTH CAROLINA

May 3, 2012

RECEIVED

MAY - 3 2012

Charles H. McDonald
1901 MAIN STREET, SUITE 1200
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COLUMBIA, SOUTH CAROLINA 29202

PH
(803) 779-8900 | (803) 227-1127 *direct*
FAX
(803) 744-1541

S.C. Supreme Court cmcdonald@robinsonlaw.com

The Honorable Daniel E. Shearouse, Clerk of Court
South Carolina Supreme Court
1231 Gervais Street
Columbia, SC 29211

Re: Walter Mortgage Company v. Natasha L. Green and Shilon L. Green
Case Tracking No. 2011-189826
Our File No. 30829-0062


Dear Mr. Shearouse:

Enclosed for filing are an original and one copy of Respondent's Motion to Extend Time for Filing Respondent's Return to Motion to Supplement Appendix and Proof of Service and an original and filing fee, and one copy of Respondent's Return to Motion to Supplement Appendix and Proof of Service. Please return the extra file-stamped copy with our courier.

A copy of each is also being served upon Petitioners Natasha and Shilon Green by U.S. Mail today.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.


Charles H. McDonald

CHM/rhs

cc: Natasha L. Green and Shilon L. Green – w/encls.

Check # 24445
\$ 2500