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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

Richard L. Booth, Master-in-Equity

Case No. 2009-CP-43-2538

First Citizens Bank and Trust Company, Inc.,.....Respondent,

v.

Charles T. Brooks, III and the South Carolina Department of Revenue, Defendants,

Of Whom Charles T. Brooks, III, is.....Appellant.

NOTICE OF APPEAL

Charles T. Brooks, III, appeals the Order of the Honorable Richard L. Booth dated January 15, 2013, and filed January 23, 2013, a copy of which is attached hereto. Appellant received written notice of the entry of this Order on February 4, 2013.

February 5, 2013

Respectfully submitted,

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

Other Counsel of Record:

Damon C. Wlodarczyk, Esq.
Riley Pope & Laney, LLC
Post Office Box 11412
Columbia, South Carolina 29211
(803) 799-9993
Attorney for Respondent

Ronald W. Urban, Esq.
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PROOF OF SERVICE

I certify that I served the foregoing motion for extension of time on counsel for the Respondent by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Damon C. Wlodarczyk, Esq.
Riley Pope & Laney, LLC
P.O. Box 11412
Columbia, SC 29211

Ronald W. Urban, Esq.
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Columbia, SC 29201

February 5, 2013

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SC COURT OF APPEALS

Respectfully submitted,



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Attorney for Appellant

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February 5, 2013

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

RE: First Citizens Bank, etc. v. Charles T. Brooks, III, et al.
Case No.: 2009-CP-43-2538

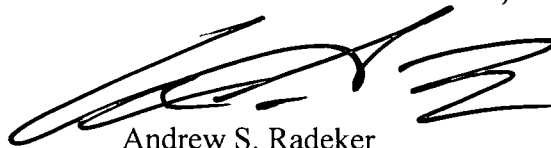
Dear Ms. Kitchings:

Enclosed herewith for filing an original and one copy of a notice of appeal in the above-referenced case, along with proof of service of the same.

Kindly file these documents and return a file-stamped copy thereof to the bearer of this letter. The filing fee of \$100.00 accompanies this letter. Thank you for your attention to this matter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: Charles T. Brooks, III, Esq.
Damon C. Włodarczyk, Esq.
Ronald W. Urban, Esq.

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FEB 05 2013

SC Court of Appeals