

70039

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

J. Michael Baxley, Circuit Court Judge

Case No. 2010-CP-13-0064

RECEIVED
OCT 11 2013
SC Court of Appeals

AMERICAN COMMUNITY BANK, Respondent,

vs.

MICHAEL R. BROWN,
C.W. HORNE,
SHORTT AUCTION & REALTY CO., INC.,
BANK OF AMERICA, N.A., and
JAGUAR PORTFOLIO, LLC

of whom

MICHAEL R. BROWN is the Appellant.

MOTION FOR EXTENSION OF TIME

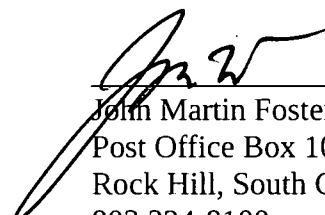
Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by his counsel herein, moves this Court for an order granting him an extension of time in which to file and serve the Record on Appeal, on the grounds stated below:

1. The Initial Brief of Respondent was served by mailing on September 4, 2013 and received by Counsel for Appellant on September 5, 2013.
2. The preparation and service of the Record on Appeal has been delayed by the press of business in the office of counsel for Appellant. He believes that the Record can be prepared and served by November 4, 2013.
3. By this Motion, and based upon the facts recited above, counsel for Appellant respectfully requests that extension of time to serve and file the Record on Appeal.

The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court to for an extension of time in which to serve and file the Record on Appeal until November 4, 2013, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

February 3, 2012



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
803 324-8100
Attorney for Appellant

Other Counsel of Record:

James W. Sheedy
Susan E. Driscoll
Driscoll Sheedy, P.A.
11520 North Community House Road, Suite 200
Charlotte, N.C. 28277

Harry R. Easterling
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Bennettsville, SC 29512-0655

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of whom

MICHAEL R. BROWN is the Appellant.

PROOF OF SERVICE

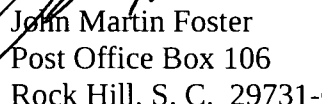
I certify that I have served the Motion for Extension of Time dated October 9, 2013, on the following counsel or persons of record:

James W. Sheedy
Susan E. Driscoll
Driscoll Sheedy, P.A.
11520 North Community House Road, Suite 200
Charlotte, N.C. 28277

Harry R. Easterling
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Bennettsville, SC 29512-0655

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262, S.C.A.C.R.

October 9, 2013



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Appellant

JOHN MARTIN FOSTER

Attorney at law

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223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

October 9, 2013

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1015 Sumter Street
Post Office Box 11629
Columbia, SC 29211

RECEIVED
OCT 11 2013
SC Court of Appeals

Re: American Community Bank, Respondent
v. Michael E. Brown, et al., of whom Michael E. Brown is Appellant
Civil Action No. 10-CP-13-0164

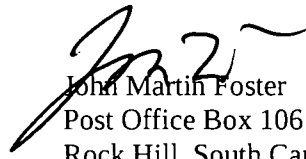
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellant's Motion for Extension of Time to serve and file the Record on Appeal, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondents with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely,



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
803 324-8100
Attorney for Appellant

jmf/
enclosures

Other counsel of record:

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Susan E. Driscoll
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