

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jan 23 2026

APPEAL FROM MARLBORO COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Robert E. Hood

Case No.: 2025CP3400154

Sharon Covington and Dorothy Douglas, Respondents,

v.

**1st Better Living 2, LLC; Marlboro County Delinquent Tax Collector;
Newrez, LLC d/b/a Shellpoint Mortgage Servicing, Defendants,**

of which Newrez LLC d/b/a Shellpoint Mortgage Servicing is the Appellant.

**APPELLANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
MEMORANDUM ADDRESSING APPEALABILITY**

**G. Benjamin Milam (SC Bar No. 80311)
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*Attorneys for Appellants***

Appellant Newrez LLC d/b/a Shellpoint Mortgage Servicing (“Newrez”), through undersigned counsel and pursuant to SCACR 240 and 263(b), hereby seeks a ten-day extension of time – through and including Tuesday, February 3, 2026 – to file a memorandum addressing the appealability of the trial court’s denial of arbitration in the above-captioned proceeding, and states as follows:

1. On December 9, 2025, the Court of Common Pleas for Marlboro County, Fourth Judicial Circuit entered an order denying Newrez's Motion to Dismiss Plaintiffs' Amended Complaint. The Motion to Dismiss that was denied by the trial court sought, among other grounds, to compel arbitration pursuant to an arbitration agreement.

2. Due to the trial court's denial of arbitration, Newrez timely filed this appeal as permitted by 9 U.S.C. § 16; S.C. Code § 15-48-200; and other authorities providing for an immediate right of appeal from a denial of a petition seeking to compel arbitration.

3. On January 14, 2026, the Clerk of the South Carolina Court of Appeals issued a letter instructing counsel to serve and file memoranda addressing appealability within ten days. Newrez's time to serve and file its memoranda has not yet expired.

4. Appellants received a copy of the transcript of the relevant proceedings in the trial court on January 20, 2026.

5. Due to responsibilities in other matters that undersigned counsel is handling, Appellant needs additional time to prepare and file and serve its memoranda addressing the appealability of the trial court's December 9, 2025 order.

6. Appellant believes there is good cause to grant the requested 10-day extension, and that the extension should apply to all counsel.

7. This is Appellant's first request for an extension of this deadline.

8. Moreover, counsel for Respondents consents to the ten-day extension sought by this motion.

WHEREFORE, Appellant Newrez LLC d/b/a Shellpoint Mortgage Servicing respectfully requests:

1. A ten-day extension of time – through and including Tuesday, February 3, 2026 – for all counsel to file and serve memoranda addressing the appealability of this matter; and
2. Such other and further relief the Court deems necessary and proper.

Respectfully submitted this 23rd day of January 2026.

/s/ G. Benjamin Milam

G. Benjamin Milam (S.C. Bar No. 80311)

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of which Newrez LLC d/b/a Shellpoint Mortgage Servicing is the Appellant.

PROOF OF SERVICE

I hereby certify that a copy of the foregoing **APPELLANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE MEMORANDUM ADDRESSING APPEALABILITY** was sent via email and via first-class U.S. Mail, postage prepaid, and addressed as follows:

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This the 23rd day of January, 2026.

/s/ G. Benjamin Milam

G. Benjamin Milam (SC Bar No. 80311)