

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LANCASTER COUNTY
William Tindal, Special Referee

Appellate Case No. **2025-002111**

RECEIVED

Jan 22 2026

SC Court of Appeals

BOKF, N.A.,

Respondent

v.

Joshua-William: Ovalle, BENE,

Appellant

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER
AND MOTION FOR LEAVE TO FILE OUT OF TIME

COMES NOW the Appellant, Joshua-William of the family Ovalle, a living soul appearing in his own right, to respectfully move this Court for an extension of sixty (60) days to serve and file his Appellant's Initial Brief and Designation of Matter, and for leave to file the same out of time.

The extension is sought in good faith and in the interest of justice, to ensure a full and fair presentation of the complex equitable issues central to this appeal. The Appellant states:

1. The Clerk of Court issued a correspondence dated January 13, 2026, advising that the time for filing Appellant's Initial Brief and Designation of Matter had expired and granting ten (10) days to comply together with a motion to file out of time.


2. Appellant has been actively engaged in proceedings in the trial court seeking a stay of the foreclosure sale, including efforts to secure a supersedeas bond, which directly affect the preservation of the appellate rights in this matter.
3. The trial court granted and set the supersedeas bond in mid-December 2025; however, the written order and related foreclosure notice were not entered until on or about January 05, 2026, requiring Appellant to await critical rulings before finalizing appellate filings.
4. The relevant period included court holidays and reduced court operations, further delaying access to orders, records, and clerk processing.
5. The issues on appeal are substantial and involve issues of constitutional magnitude, due process, exclusive equity jurisprudence, and trust law, which were not properly adjudicated by the lower court.
6. A proper brief requires a thorough review of the voluminous trial record to demonstrate the lower court's errors. Given the risk of irreparable harm, this review cannot be rushed without sacrificing the substantive due process right to a full and fair hearing on appeal.
7. Appellant is acting with diligence, in his own right, and is in the process of securing competent assistance familiar with the specialized nature of equity and trust law as it applies to mortgage securitization.
8. No prejudice will result to Respondent by granting this extension, whereas denial would result in substantial prejudice to Appellant and could render the appeal moot through foreclosure sale.
9. Good cause therefore exists for the extension requested and for leave to file Appellant's Initial Brief and Designation of Matter out of time.

WHEREFORE, Appellant respectfully requests that this Court grant:

1. An extension of sixty (60) days from the current deadline to serve and file the Appellant's *Initial Brief and Designation of Matter*;
2. Leave to file the same out of time;
3. Such other and further relief as this Court deems just and proper.

This motion is made without waiver of any rights, remedies, or defenses, either jurisdictional or on the merits, all of which are expressly reserved now and forever.

Respectfully submitted in good faith this 22nd day of January 2026.

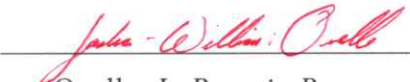

_____, LS
Joshua-William: Ovalle, *In Propria Persona, Sui Juris*
c/o: 8866 Ross Hill Road
Fort Mill, SC 29707
as Implied Surety/Heir/Beneficiary of
JOSHUA WILLIAM OVALLE, Principal Debtor
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CERTIFICATE OF SERVICE

I affirm that I have served a true and correct copy of this Motion for Extension of Time to Serve and File Appellant's Initial Brief and Designation of Matter and Motion for Leave to File Out of Time by mailing a copy to each party via USPS certified mail. The original addressed to Jenny Abbott Kitchings, 1220 Senate Street, Columbia, South Carolina 29201 (9589 0710 5270 2626 0038 51). A copy served on:

- BOKF, N.A., addressed to its Attorneys of record, Kevin Brown / Brook Dangerfield / Chad Burgess, 3800 Fernandina Road, Suite 110, Columbia, South Carolina 29210 (9589 0710 5270 2626 0038 44)
- William C. Tindal, Special Referee, 961 North Main Street #117, Lancaster, South Carolina 29720 (9589 0710 5270 2626 0038 68)

January 22, 2026


_____, LS
Joshua-William: Ovalle, *In Propria Persona, Sui Juris*
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SC Court of Appeals

LETTER TO THE APPELLATE COURT CLERK

January 22, 2026

Jenny Abbott Kitchings, Clerk of Court
SOUTH CAROLINA COURT OF APPEALS
1220 Senate Street
Columbia, SC 29201

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Jan 22 2026
SC Court of Appeals

Re: BOKF, N.A. v. Joshua-William: Ovalle, BENE
Appellate Case No. 2025-002111

Dear Ms. Kitchings:

Enclosed is the Motion for Extension of Time to Serve and File Appellant's Initial Brief and Designation of Matter and Motion for Leave to File out of Time. Also enclosed are the following:

- Certificate of Service of the motion as addressed above, on the respondents
- Cashier's check totaling \$50, addressed to the SC Court of Appeals, to be applied as the motion fee

With Gratitude,

 _____, LS

Joshua-William: Ovalle, *In Propria Persona, Sui Juris*
c/o: 8866 Ross Hill Road
Fort Mill, SC 29707

as Implied Surety/Heir/Beneficiary of
JOSHUA WILLIAM OVALLE, Principal Debtor
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Cc: Kevin Ted Brown, Attorney
Brook Dangerfield, Attorney
William Tindal, Special Referee