

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

70580

AMERICAN COMMUNITY BANK,
a division of Yadkin Valley Bank & Trust, 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

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SC Court of Appeals

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. With an extension granted by this Court, the Record in due on December 4, 2013 absent extraordinary circumstances.
2. In preparing the Record on Appeal, counsel for Appellant noticed that the Respondent has requested the inclusion of a Transcript of the Hearing on July 12, 2012. This was the hearing on the Respondent's Summary Judgment, which resulted in an Order listed by both parties to be included in the Record on Appeal.

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vs.

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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.

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time dated December 3, 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

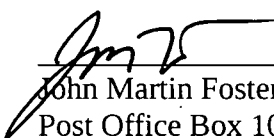
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by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons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

December 3, 2013



John Martin Foster
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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

December 3, 2013

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

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:

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