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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

DEC 27 2013

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

**SC Court of Appeals**

The Honorable Diane Schafer Goodstien, Circuit Court Judge

Case No. 2011-CP-18-1013

Appellate Case No. 2013-002066

The Bank of New York Mellon, as Successor Trustee  
under NovaStar Mortgage funding Trust, Series 2004-1,.....Appellant,

v.

Rachel R. Lindsay; Jeffery Wayner; Tammy Wayner;  
Tiffany Spann-Wilder, Esq.; The Steinberg Law Firm;  
and United States of America, Acting by and through its  
agency, the Internal Revenue Service, Defendants,

Rachel R. Lindsay .....Respondent,

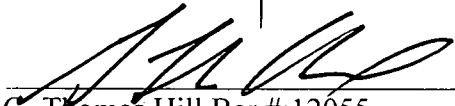
v.

Saxon Mortgage Services, Inc.,.....Appellant.

RESPONDENT'S  
MOTION FOR AN EXTENSION OF TIME  
TO FILE THE INITIAL BRIEF OF RESPONDENT

The Respondent Rachel R. Lindsay by and through her counsel G. Thomas Hill hereby  
moves for a fifteen (15) day extension of time to file the INITIAL BRIEF OF THE  
RESPONDENT pursuant to Rules 208, 240, and 263(b) of the South Carolina Appellate Court  
Rules. This request is made out of necessity in order to devote the necessary time required to

finalize the Respondent's Initial Brief. No prejudice will be caused by the grant of an additional fifteen days in which to file said Initial Brief. With the additional fifteen days said brief will be due on or before January 4, 2014. Respondent further requests that the current deadline be held in abeyance until this Court issues an order on said motion.



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(843) 889-2261

**ATTORNEYS FOR RESPONDENT**  
**(RACHEL R. LINDSAY)**

Ravenel, South Carolina

December 20, 2013

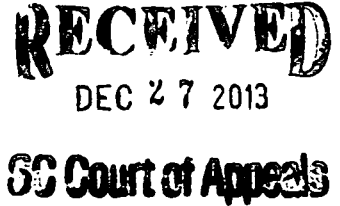
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agency, the Internal Revenue Service, Defendants,

Rachel R. Lindsay .....Respondent,

v.

Saxon Mortgage Services, Inc.,.....Appellant.

PROOF OF SERVICE

I HEREBY CERTIFY that I have served the RESPONDENT'S MOTION FOR AN  
EXTENSION OF TIME TO FILE THE INITIAL BRIEF OF RESPONDENT on Appellants,  
Plaintiff, Defendant and Third Party Defendant by depositing copies of the same in the United  
States Mail, postage prepaid, addressed to the Counsel of Record, below:

Merritt G. Abney  
Nelson, Mullins, Riley & Scarborough  
151 Meeting Street, Sixth Floor

Charleston, SC 29401

*Attorneys for Appellants, namely, Plaintiff and  
Third Party Defendant*

Matthew J. Modica, Esq.  
U.S. Attorney's Office  
151 Meeting Street, Suite 200  
Charleston, SC 29401

*Attorney for United States of America acting by  
and through its agency, the Internal Revenue  
Service.*



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G. Thomas Hill (S.C. Bar No. 12055)  
HILL & HILL, LLC

December 20, 2013