

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No: 2012-CP-22-00896
Case No: 2012-CP-22-00897
Case No: 2012-CP-22-00901
Case No: 2012-CP-22-00900
Appellate Case No. 2013-002449

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FEB 18 2014
SC Court of Appeals

Summers Roofing, LLC and James A. Summers Appellants,

v.

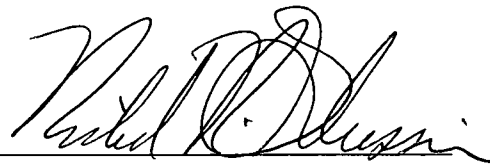
Branch Banking and Trust Company Respondent.

**APPELLANTS' MOTION FOR ENLARGEMENT OF TIME
TO FILE INITIAL BRIEF AND DESIGNATION OF RECORD ON APPEAL**

On November 8, 2013, Defendants/Appellants filed their Notice of Appeal in regard to four separate Orders Striking Jury Demand and Referring to Master in Equity in civil actions numbered Case No: 2012-CP-22-00896, Case No: 2012-CP-22-00897, Case No: 2012-CP-22-00901, Case No: and 2012-CP-22-00900. Because the Orders and arguments were nearly identical in all four matters, the matters were consolidated for appeals under Appellate Case No. 2013-002449. Defendants received the Orders on or about November 6, 2013. The Defendants/Appellants received the transcript of record on December 16, 2013 and received a thirty (30) day extension to file their initial brief and designation of record on appeal. The initial brief and designation of record on appeal is due February 14, 2014. During this time, the Defendants/Appellants have been diligently pursuing

the resolution of this matter and had hoped to have this matter resolved prior to February 14, 2014. Due to inclement weather, the consummation of the settlement has not yet occurred and the attorneys for the Defendants/Appellants request an additional seven (7) days to file their initial brief and designation of record on appeal. During this time, the Defendants/Appellants hope to complete the settlement in this case, however, in the event the matter is not finally resolved, they shall be in a position to file their initial brief and designation of record. The Defendants/Appellants have consulted with the attorneys for the Plaintiff/Respondent and they have consented to this request.

WHEREFORE, the Defendants/Appellants request an additional seven (7) days to file their initial brief and designation of record on appeal making the initial brief and designation due on February 21, 2014.



Richard R. Gleissner, Esquire
Gleissner Law Firm, LLC
1237 Gadsden Street, Suite 200A
Columbia, South Carolina 29201
(803) 787-0505
Attorneys for Appellants

February 14, 2014
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

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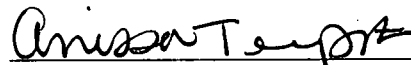
v.

Branch Banking and Trust Company Respondent.

PROOF OF SERVICE

I certify that I have served the **APPELLANTS' MOTION FOR ENLARGEMENT OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF RECORD ON APPEAL** on the Respondent by depositing a copy of it in the United States Mail, postage prepaid, on February 14, 2014, addressed to its attorney of record as follows:

Steven B. Licata, Esquire
Post Office Box 23407
Columbia, SC 29224-3407


Anissa Terpstra, Paralegal to
Richard R. Gleissner
Gleissner Law Firm, L.L.C.
1237 Gadsden Street, Suite 200A
Columbia, SC 29201
Attorneys for Appellants

Columbia, South Carolina
February 14, 2014

GLEISSNER LAW

Helping Business | Helping People

GLEISSNER LAW FIRM, L.L.C.
1237 Gadsden Street, Suite 200A
Columbia, South Carolina 29201
Phone (803)787-0505
Facsimile (803)712-4283
www.GleissnerLaw.com

Anissa Terpstra, Paralegal
Anissa@GleissnerLaw.com

February 14, 2014

The Honorable Jenny Abbott Kitchings
Clerk for the South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

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SC Court of Appeals

Re: Branch Banking and Trust Company v. Tracy Butler
Appellate Case No. 2013-002449
Our File Number 101-1

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of Appellants' Motion for Enlargement of Time to File Initial Brief and Designation of Record on Appeal in the above matter. Please file the original and six (6) copies with the court and return one (1) filed copy in the self-addressed and postage prepaid envelope.

I am also enclosing a check in the amount of \$25.00 to cover the filing fee associated with this Motion.

If you have any questions, please feel free to contact me. Thank you for your consideration and cooperation.

Sincerely,



Anissa Terpstra, Paralegal to
Richard R. Gleissner

/amt

enclosures

cc: Steve Licata, Esquire
James Summers