

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Edward G. Wellmaker, Circuit Court Judge

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Case No. 2010-CP-23-1621  
Appellate Case No. 2013-001441

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Chase Home Finance, LLC

v.

Thomas R. Irby, Roy C. Irby a/k/a Roy C. Irby II and Bank of America, N.A.

Thomas R. Irby .....Appellant,

Roy C. Irby a/k/a Roy C. Irby II.....Respondent,

Bank of America, N.A. ....Respondent.

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**RESPONDENT BANK OF AMERICA, N.A.'S MOTION FOR EXTENSION OF  
TIME TO FILE INITIAL BRIEF**

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Attorneys for Respondent Bank of America,  
N.A.

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MAR 11 2014

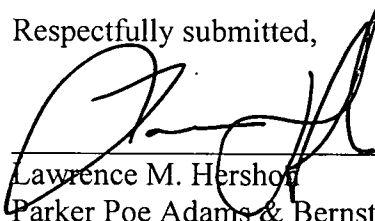
SC Court of Appeals

NOW COMES Respondent Bank of America, N.A. ("Bank of America"), pursuant to 240(a), SCACR, and respectfully requests an extension of time of thirty (30) days within which to file its Initial Brief.

As a result of Appellant inexplicably serving his Initial Brief by certified mail, it was not received by counsel for Respondent Bank of America until February 26, 2014, despite having a date of service of February 18, 2014. In addition, Respondent Bank of America's counsel's work schedule will not allow for completion of the Initial Brief by the current deadline. In addition, Appellant requested and received extensions prior to filing his Initial Brief. Therefore, Respondent Bank of America respectfully contends that good cause exists for an extension of time to file its Initial Brief as Respondent.

WHEREFORE, Respondent Bank of America respectfully requests an order granting an extension of thirty (30) days to file its Initial Brief, up to and including April 21, 2014.

Respectfully submitted,



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ATTORNEYS FOR RESPONDENT BANK OF  
AMERICA, N.A.

March 11, 2014  
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Thomas R. Irby .....Appellant,

Roy C. Irby a/k/a Roy C. Irby II.....Respondent,

Bank of America, N.A. .... Respondent.

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on March 11, 2014, he served the foregoing **RESPONDENT BANK OF AMERICA, N.A.'S MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF** on all parties listed below by placing a copy of it in the United States Mail, first class postage prepaid, addressed as follows:

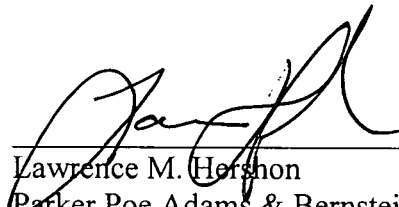
Mr. Thomas R. Irby  
P. O. Box 827  
Pelzer, SC 29669

Jerry A. Gaines, Esq.  
Odom Law Firm  
P. O. Box 5504  
Spartanburg, SC 29304

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**SC Court of Appeals**



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Charleston, SC  
Charlotte, NC  
Columbia, SC  
Raleigh, NC  
Spartanburg, SC

March 11, 2014

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MAR 11 2014

**Via Hand Delivery**

The Honorable Jenny Abbott Kitchings  
Clerk, Court of Appeals  
1015 Sumter Street  
Columbia, SC 29211

**SC Court of Appeals**

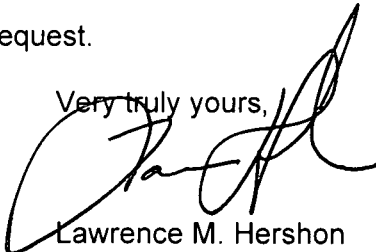
**Re: Chase Home Finance, LLC vs. Thomas R. Irby, Roy C. Irby a/k/a Roy C. Irby II  
and Bank of America, N.A. Case No. 2010-CP-23-1621.  
Appellate Case No. 2013-001441**

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Respondent Bank of America, N.A.'s Motion for Extension of Time to File Initial Brief in the above-referenced case, along with a check for \$25.00 for the requisite filing fee. Please return a file-stamped copy of the motion to my courier.

By copy of this letter, I am today serving the motion on Appellant and the other Respondent.

Thank you for your attention to this request.

Very truly yours,  
  
Lawrence M. Hershon

LMH:dmc  
Enclosure

cc: Mr. Thomas R. Irby (w/enc.) – via U.S. Mail  
Jerry A. Gaines, Esq. (w/enc.) – via U.S. Mail

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