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APR 28 2014

SC Court of Appeals

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

172043

due 4-17  
served 4-24

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

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:

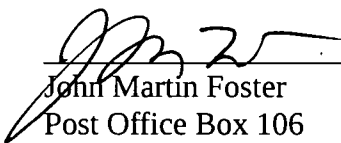
1. By Order of this Court, the Appellant was to obtain a transcript of the hearing on the Respondent's Motion for Summary Judgment. This document had been designated by the Respondent to be a part of the Record on Appeal. Locating the Court Reporter and obtaining this transcript took until April 7, 2014. Copies of the relevant correspondence were forwarded to this Court.
2. The Order of this Court required completion of the Record on Appeal within ten (10) days after receipt of the transcript.

3. Owing to the press of business and other Appellate deadlines, counsel for Appellant was only able to effect service and delivery of the Record on Appeal by this Friday, April 25, 2014.
4. The Appellant prays for an extension of time to serve and file the Record on Appeal until this date or that on which the same is received by this Court, as it may deem proper.

The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court to for an extension of time in which to serve and file the Record on Appeal, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

April 25, 2014

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Appellant

Other Counsel of Record:

James W. Sheedy  
Susan E. Driscoll  
Driscoll Sheedy, P.A.  
11520 North Community House Road, Suite 200  
Charlotte, N.C. 28277

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHESTERFIELD COUNTY  
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Case No. 2010-CP-13-0064

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

MICHAEL R. BROWN,  
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BANK OF AMERICA, N.A., and  
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of whom  
MICHAEL R. BROWN is the ..... Appellant.

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PROOF OF SERVICE

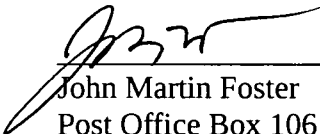
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I certify that I have served the Motion for Extension of Time dated April 25, 2014, on the following counsel or persons of record:

James W. Sheedy  
Susan E. Driscoll  
Driscoll Sheedy, P.A.  
11520 North Community House Road, Suite 200  
Charlotte, N.C. 28277

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.

April 25, 2014

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellant

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The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

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April 25, 2014

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

**RECEIVED**

APR 28 2014

**SC Court of Appeals**

**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 210, 240 and 263(a), S.C.A.C.R., enclosed herewith please find:

the original and fifteen (15) copies of the Record on Appeal, together with Certificate of Service of the same; and

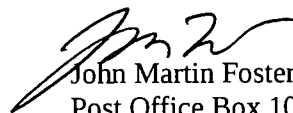
the original and seven (7) copies of the Appellant's Motion for Extension of Time to serve and file the Record on Appeal, together with Certificate of Service for the same in the above referenced case.

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 Record on Appeal and the said Motion, as evidenced by the Certificates 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.  
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Charlotte, N.C. 28277