

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM OCONEE COUNTY

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AUG 14 2014

SC Court of Appeals

THE HONORABLE ALEXANDER S. MACAULAY, JUDGE

CASE NO.: 2014-000220

PLANTATION FEDERAL BANK, AS SUCCESSOR IN INTEREST TO FIRST SAVERS
BANK, RESPONDENT

V.

J. CHARLES GRAY AND WATERFORD RIDGE OWNERS ASSOCIATION, INC.,
DEFENDANTS OF WHOM J. CHARLES GRAY IS AN APPELLANT.

PLANTATION FEDERAL BANK, AS SUCCESSOR IN INTEREST TO FIRST SAVERS
BANK, RESPONDENT.

V.

PEGGY B. GRAY AND WATERFORD RIDGE OWNERS ASSOCIATION, INC.,
DEFENDANTS, OF WHOM PEGGY B. GRAY IS AN APPELLANT.

OBJECTION TO MOTION TO EXTEND TIME TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER

The undersigned, attorney for the Respondent, hereby files its Objection to Appellant's Motion to File Initial Brief Out of Time. In objecting to the relief sought, Respondent would show unto the Court that:

1. The Order Granting Plaintiff's Motion For Summary Judgment was filed January 2, 2014.
2. Appellant submitted its Notice of Appeal on January 30, 2014.
3. On February 6, 2014 Appellant requested a transcript of the Summary Judgment hearing held on September 3, 2013
4. Appellant received a copy of the transcript on or about June 5, 2014. In support of Respondent's position a copy of Appellants confirmation letter is attached hereto as Exhibit "A".

5. On July 15, 2014, Appellant moved for an Extension of Time to file and serve Initial Brief.
6. Appellant's motion was granted and Appellant was given until August 7, 2014 to serve and file its initial brief.
7. It is Respondent's position that the Appellant has been afforded ample time in which to file its initial brief pursuant to South Carolina Appellate Court Rule 208.
8. This is the second appeal filed in regards to this matter.
9. In the previous appeal, Appellant repeatedly failed to follow the timing requirements set forth in the South Carolina Rules of Appellate Court and on more than one occasion moved for extensions of time.
10. Furthermore in the previous appeal the matter was dismissed for Appellant's failure to comply with the South Carolina Rules of Appellate Court resulting in Appellant filing a motion to have said matter reinstated.

As documented herein and in the public record, Appellant has repeatedly been unable or unwilling to comply with the South Carolina Rules of Appellate Court. Respondent is opposed to any extensions in this matter as Appellant has repeatedly delayed these proceedings. This matter was initially filed March 30, 2010. Respondent would respectfully show unto the Court that it continues to suffer prejudice and delay as a result of Appellant's willful failure to comply with the South Carolina Appellate Court Rules.

Whereby having objected to the relief sought, the Respondent requests that this appeal be dismissed and the matter remanded back to the trial court for further proceedings.

Respectfully submitted,



Bradley K. Richardson, Esq. (S.C. Bar #: 68385)
133 Straight Drive
Anderson, SC 29625
(864) 222-0292, (864) 222-0892(fax)
Attorney for the Respondent

Anderson, South Carolina
August 11, 2014

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM OCONEE COUNTY

THE HONORABLE ALEXANDER S. MACAULAY, JUDGE

CASE NO.: 2014-000220

PLANTATION FEDERAL BANK, AS SUCCESSOR IN INTEREST TO FIRST SAVERS BANK,
RESPONDENT

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V.

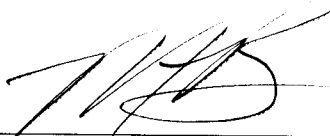
PEGGY B. GRAY AND WATERFORD RIDGE OWNERS ASSOCIATION, INC., DEFENDANTS,
OF WHOM PEGGY B. GRAY IS AN APPELLANT.

PROOF OF SERVICE

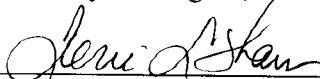
The undersigned hereby certifies that a copy of the Objection to Motion to File Initial Brief and Designation of Matter in the above-captioned matter was served upon the persons named below by placing the same in the United States Mail with sufficient postage attached thereto at the addresses listed below as follows:

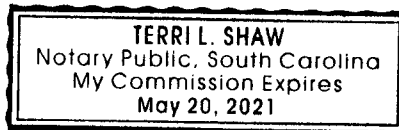
Charles R. Griffin, Jr.
210 North McDuffie St., Suite 103
Anderson, SC 29621

Dated this 11th day of August, 2014
Anderson, South Carolina


Michael T. Bagwell, Esq.
Bradley K. Richardson, P.C.
133 Straight Drive
Anderson, SC 29625

SWORN to and subscribed before me this
11th day of August, 2014


Notary Public for South Carolina
My Commission Expires: 05/20/2021



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SC Court of Appeals



BRADLEY K. RICHARDSON, P.C.

August 11, 2014

Ms. Jenny Abbott Kitchings
Clerk of South Carolina
Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: Plantation Federal Bank, as Successor in Interest to First Savers Bank,
Respondent, v. J. Charles Gray and Waterford Ridge Owners Association, Inc.,
Defendants, of whom J. Charles Bray is an Appellant

Plantation Federal Bank, as Successor in Interest to First Savers Bank,
Respondent, v. Peggy B. Gray and Waterford Ridge Owners Association, Inc.,
Defendants of whom Peggy B. Gray is an Appellant.

Appellate Case No.: 2014-000220

Dear Ms. Kitchings:

Please find enclosed the Objection to Motion to Extend Time to File Initial Brief
and Designation of Matter and Proof of Service.

By copy of this letter, a copy of the same has been served on Mr. Charles R.
Griffin, Jr., attorney for Appellant.

With kind regards, I remain

Sincerely yours,

Michael T. Bagwell, Esq.

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SC Court of Appeals

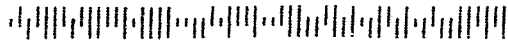
Encl.

Cc: Client, Charles R. Griffin, Jr.

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