

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2009-CP-07-05088
App. Case No. 2012-210910

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SC Court of Appeals

74101

CitiMortgage, Inc.,

Respondent,

v.

Daniel Junk a/k/a Daniel L. Junk and Christine H.
Junk and Oldfield Community Association,

Defendants,

Of Whom Daniel L. Junk and Christine H. Junk are,

Appellants,

-and-

Daniel L. Junk and Christine H. Junk,

Counterclaim Appellants,

v.

CitiMortgage, Inc.

Counterclaim Respondent.

-and-

Daniel L. Junk and Christine H. Junk,

Third-party Appellants,

v.

Riley Pope & Laney, LLC , Heidi Carey, Esq.,
Roy Laney, Esq., T. Lowndes Pope, Esq.,
Bayview Loan Servicing, LLC, MERSCORP, Inc.,
Mortgage Electronic Registration Systems, Inc.,
Citi Master Servicing, Citigroup Global Markets
Realty Corp., Citigroup Mortgage Loan Trust, Inc.,
John Does 1-5,000, Jennifer Oakes, Robert G.
Hall, Security Connections, Inc., Krystal Hall,
Danielle Sterling, ABC Appraisal Group, Inc.,
Mark A. Ruplinger, Linda Heller, Harry Jones,

Colonial Coast Title Agency, Inc., Lawyers Title Insurance Corporation, Corelogic, Inc. and American Home Mortgage Holdings, Inc.

Third-party Respondents.

APPELLANTS', COUNTERCLAIM APPELLANTS' AND THIRD-PARTY APPELLANTS' MOTION FOR AN EXTENSION OF TIME

Pursuant to Rule 240, SCACR, Appellants, Counterclaim Appellants and Third-party Appellants Daniel L. Junk and Christine H. Junk ("Appellants" or the "Junks"), respectfully request an extension of time to serve and file the record on appeal as ordered in this Court's October 9, 2014 Order, a copy of which is attached hereto as Exhibit A. On October 17, 2014, Appellants filed a motion under Rule 204(b), SCACR, ("Motion") to transfer the case to the Supreme Court and for relief from expending the costs and judicial resources in perfecting the instant appeal. Appellants' request is pursuant to CitiMortgage, Inc.'s ("CMI's") recent admission that it lacked the statutory capacity to maintain the foreclosure action under S.C. Code § 29-3-10 as a result of CMI's admission that it is not the owner of the debt obligation note or mortgage. A copy of CMI's admission that it is not the owner of the mortgage note debt obligation or mortgage is attached hereto as Exhibit B. Appellants respectfully request they be granted an extension of time to serve and file the record on appeal until such time as their Motion to transfer the case and for relief from perfecting the record is decided by this Court or the Supreme Court.

WHEREFORE, Appellants ask this Court grant an extension of time to serve and file the record on appeal until 30 days after the ruling on Appellants' pending Motion under Rule 204(b) SCACR.

{Signature page to follow}

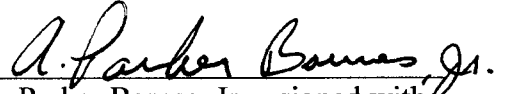
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Respectfully submitted,

A. PARKER BARNES, JR., P.A.



A. Parker Barnes, Jr. – signed with
permission 

(SC Bar No. 523)

Post Office Drawer 1729

500 Carteret Street

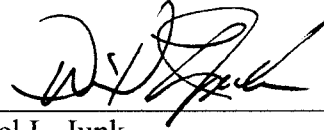
Beaufort, South Carolina 29901

(843) 522-2600

*Counsel for Appellant, Counterclaim
Appellant and Third-party Appellant,
Christine Junk*

and

DANIEL L. JUNK



Daniel L. Junk

35 North Fourth Street

Suite 200

Columbus, Ohio 43215

(614) 648-5062

*Pro Se for Appellant, Counterclaim
Appellant and Third-party Appellant
Daniel L. Junk*

Columbus, Ohio
November 7, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2009-CP-07-05088
App. Case No. 2012-210910

CitiMortgage, Inc., Respondent,
v.

Daniel Junk a/k/a Daniel L. Junk and
Christine H. Junk and Oldfield Community
Association, Defendants,

Of Whom Daniel L. Junk and Christine H.
Junk are, Appellants,

Daniel L. Junk and Christine H. Junk, Counterclaim Appellants,

v.

CitiMortgage, Inc. Counterclaim Respondent.

Daniel L. Junk and Christine H. Junk, Third-party Appellants,

v.

Riley Pope & Laney, LLC , Heidi Carey, Esq.,
Roy Laney, Esq., T. Lowndes Pope, Esq.,
Bayview Loan Servicing, LLC, MERSCORP, Inc.,
Mortgage Electronic Registration Systems, Inc.,
Citi Master Servicing, Citigroup Global Markets
Realty Corp., Citigroup Mortgage Loan Trust, Inc.,
John Does 1-5,000, Jennifer Oakes, Robert G.
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Danielle Sterling, ABC Appraisal Group, Inc.,
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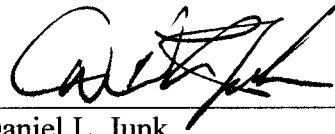
Insurance Corporation, Corelogic, Inc. and American Home Mortgage Holdings, Inc.

Third-party Respondents.

PROOF OF SERVICE

I certify that I have served APPELLANTS', COUNTERCLAIM APPELLANTS' AND THIRD-PARTY APPELLANTS' MOTION FOR AN EXTENSION OF TIME on counsel listed below by depositing a copy of it in the United States Mail, postage prepaid, on November 7, 2014.

November 7, 2014



Daniel L. Junk
Pro se
35 North Fourth Street
Suite 200
Columbus, OH 43215
(614) 648-5062

{Service list on following page}

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SC Court of Appeals

PROOF OF SERVICE

Document(s) Served: APPELLANTS', COUNTERCLAIM APPELLANTS' AND THIRD-PARTY APPELLANTS' MOTION FOR AN EXTENSION OF TIME

Persons Served:

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652 Coleman Blvd., Ste. 200
Mt. Pleasant, SC 29464

DANIEL L. JUNK

November 7, 2014

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

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SC Court of Appeals

Re: CitiMortgage v. Junk, et al.

Civil Action No. 2009-CP-07-05088

Orders on Appeal: April 11, 2011 (Order Dismissing Quiet Title Action w/out Prejudice) **and** February 23, 2012 (Order Granting Motion to Dismiss Third-Party Complaint) **and** (Order Denying Defendants' Motion to Join Third Parties as Counterclaim Defendants)

Case Tracking No. 2012-210910

and

CitiMortgage v. Junk, et al.

Civil Action No. 2009-CP-07-05088

Order on Appeal: April 23, 2012 (Order Granting CitiMortgage's Motion to Dismiss Counterclaims)

Consolidated Case Tracking No. 2012-210910

and

CitiMortgage v. Junk, et al.

Civil Action No. 2009-CP-07-05088

Order on Appeal: May 3, 2012 (Form 4 Order Denying Motion for Default Judgment against American Home Mortgage)

Consolidated Case Tracking No. 2012-210910

Dear Ms. Kitchings,

Enclosed please find an original and seven (7) copies of Appellants' Counterclaim Appellants' and Third-party Appellants' Motion for an Extension of Time. Please file the

Honorable Jenny Abbott Kitchings
October 16, 2014

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original and return a file-stamped copy to me via the enclosed self-addressed postage paid envelope. Please contact me if you need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. L. Junk', written in a cursive style.

Daniel L. Junk,
Pro se Appellant