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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Jr., Master-in-Equity

Common Pleas Case No. 2010-CP-23-1622
Appellate Case No. 2012-212447

JP Morgan Chase Bank, National Association,.....Respondent,

v.

Brian Adrian Tucker, Jessica C. Tucker, and Half Mile Lake Homeowner's
Association, Inc., Defendants,

Of whom Brian Adrian Tucker and Jessica C. Tucker are.....Appellants.

MOTION FOR EXTENSION OF TIME FOR APPELLANTS TO SERVE AND
FILE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN
RECORD ON APPEAL

Appellants hereby move pursuant to Rule 263(b), SCACR, for a 30-day
extension of the time in which to serve and file Appellants' Initial Brief and
Designation of Matter to be Included in the Record on Appeal in this case. The
grounds for this motion are that there is good cause to grant the requested extension,
as the following shows:

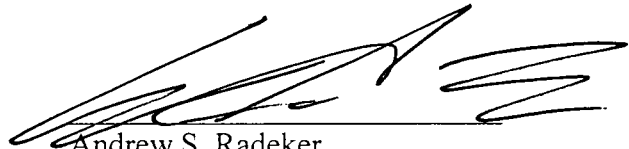
1. The Notice of Appeal in this case was served on June 30, 2012, and
filed July 2, 2012. Since Appellants' counsel already had a copy of
the transcript in this case when this appeal was initiated, Appellants'
initial brief and designation are due on July 30, 2012.

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2. Accordingly, this appeal is already further along in the process than most other appeals would be at this stage.
3. Appellants' counsel believes that, given his duties in other cases and matters, there is not sufficient time for him to become familiar enough with the record to draft an initial brief in this matter adequately between now and July 30, 2012.
4. Counsel for the Respondent consents to the requested extension, as shown by the email message attached hereto.
5. Appellants' counsel believes there is good cause to grant the requested 30-day extension to August 30, 2012.

WHEREFORE Appellants pray for an Order extending the time in which to serve and file Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal for an additional thirty days.

Respectfully submitted,



Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211

David L. Thomas
Moore, Taylor & Thomas, P.A.
23 Wade Hampton Boulevard
Greenville, South Carolina 29609
(864) 271-6371

Attorneys for Appellant

July 24, 2012

Drew

From: Osborne, Hamilton [hosborne@hsblawfirm.com]
Sent: Monday, July 23, 2012 7:22 AM
To: drew@harrisonfirm.com
Subject: Re: JPMorgan Chase Bank, National Association v. Brian Adrian Tucker, et al; HSB file no. 09150.0269
 I consent.

-HSB-

From: Drew Radeker <drew@harrisonfirm.com>
To: Osborne, Hamilton
Cc: 'David Thomas' <david@dlthomaslaw.com>; 'Michele' <michele@dlthomaslaw.com>
Sent: Mon Jul 23 06:33:56 2012
Subject: RE: JPMorgan Chase Bank, National Association v. Brian Adrian Tucker, et al; HSB file no. 09150.0269

Hamilton:

It looks as though I'll need an extension of the time to file our initial brief in this case. I doubt I will need more than one extension. Do you consent to a 30-day extension? I know the Appellate Court Rules do not require me to ask you, but I would like to be able to say you consent.

Let me know. Thank you.

Drew Radeker
 HARRISON & RADEKER, P.A.
 P. O. Box 50143
 Columbia, SC 29250
 803-779-2211
 803-779-6700 (fax)

This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (803)779-2211 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.) Thank you.

From: Osborne, Hamilton [mailto:hosborne@hsblawfirm.com]
Sent: Tuesday, July 17, 2012 4:17 PM
To: Drew Radeker
Cc: PritiP@scottlaw.com; dj@tobywardlaw.com; Becker, James; Ariail, Charlotte
Subject: JPMorgan Chase Bank, National Association v. Brian Adrian Tucker, et al; HSB file no. 09150.0269

Drew:

JPMorgan Chase Bank, N.A. has engaged my firm to represent and defend the interests of Chase in the pending appeal initiated by your clients. Please serve on me a copy of your initial brief and any other

7/24/2012

documents filed with the court. We will prepare and file the respondent's brief on behalf of Chase.

Thanks,

Hamilton

**Haynsworth
Sinkler Boyd, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

Hamilton Osborne, Jr. | Attorney | Haynsworth Sinkler Boyd, P.A.

1201 Main Street, 22nd Floor (29201) | Post Office Box 11889 (29211) | Columbia, South Carolina
Phone: 803.779.3080 | Fax: 803.765.1243 | Direct: 803.540.7855

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JP Morgan Chase Bank, National Association,.....Respondent,

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Brian Adrian Tucker, Jessica C. Tucker, and Half Mile Lake Homeowner's
Association, Inc., Defendants,

Of whom Brian Adrian Tucker and Jessica C. Tucker are.....Appellants.

PROOF OF SERVICE

I certify that I served the foregoing document on counsel for the Respondent
by depositing a copy of it on the date shown below in the United States Mail, postage
prepaid, addressed as follows:

Hamilton Osborne, Jr., Esq.
Haynsworth Sinkler Boyd, P.A.
P.O. Box 11889
Columbia, SC 29211

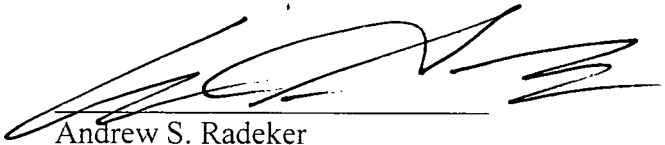
J. Derrick Jackson, Esq.
Tobias G. Ward, Jr. PA
P.O. Box 6138
Columbia, SC 29260

Ronald C. Scott, Esq., Priti M. Patel, Esq.,
and Erica G. Lybrand, Esq.
Scott Law Firm, PA
P.O. Box 2065
Columbia, SC 29202

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July 24, 2012

A handwritten signature in black ink, appearing to read 'Andrew S. Radeker', written over a horizontal line.

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

LAW OFFICES
HARRISON & RADEKER, P.A.
923 CALHOUN STREET
COLUMBIA, SOUTH CAROLINA 29201

James C. Harrison, Jr.*
Andrew S. Radeker
Andrew M. Thompson
Kathryn B. Dinkins

* Mediator/Arbitrator

P.O. Box 50143
Columbia, SC 29250

(803) 779-2211
(803) 779-6700 (FAX)

July 24, 2012

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

RE: JP Morgan Chase Bank, etc. v. Brian Adrian Tucker, et al.
Ct. App. Case No. 2012-212447

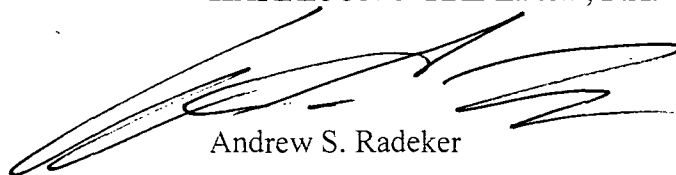
Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and seven copies of a motion for extension with attached proof of service thereof. Also enclosed is this firm's check in the amount of \$25.00 as the fee for the motion.

Kindly file these documents and return a file-stamped copy thereof to the bearer of this letter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: David L. Thomas, Esq.
Hamilton Osborne, Jr., Esq.
J. Derrick Jackson, Esq.
Ronald C. Scott, Esq.
Priti M. Patel, Esq.
Erica G. Lybrand, Esq.

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LAW OFFICES
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* Mediator/Arbitrator

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(803) 779-2211
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July 5, 2012

VIA U.S. MAIL

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
P.O. Box 11629
Columbia, SC 29211

RE: JP Morgan Chase Bank, etc. v. Brian Adrian Tucker, et al.
Common Pleas Case No. 2010-CP-23-1622

Dear Ms. Kitchings:

I write pursuant to Rule 207, SCACR, for the Court's file to reflect that the appellants' counsel already received a copy of the only transcript at issue in this case before the notice of appeal was served. Accordingly, by my calculations, the appellants' initial brief is due on July 30, 2012.

Thank you for your attention in this matter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

cc: David L. Thomas, Esq.
J. Derrick Jackson, Esq.
Ronald C. Scott, Esq.
Priti M. Patel, Esq.
Erica G. Lybrand, Esq.

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