

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

James B. Jackson, Jr., Special Circuit Judge

Common Pleas Case Nos. 2007-CP-38-196 & 2007-CP-38-201
Appellate Case No. 2014-001634

RECEIVED
DEC 31 2014
SC Court of Appeals
74651

First Citizens Bank and Trust Company,.....Appellant/Respondent,

v.

Clyde B. Livingston; Technico Marketing & Distribution, Inc.; B. Livingston and Charlotte V. Livingston; American First Federal Inc.; Citibank South Dakota, N.A.; Branch Banking and Trust Company of South Carolina; G&G Rentals; Miller Communications, Inc.; and Wells Fargo Bank, N.A., Defendants,

Of Clyde B. Livingston is the.....Respondent/Appellant.

And

First Citizens Bank and Trust Company,.....Appellant/Respondent,

v.

Clyde B. Livingston; American First Federal Inc.; Citibank South Dakota, N.A.; Branch Banking and Trust Company of South Carolina; G&G Rentals; Miller Communications, Inc.; and Wells Fargo Bank, N.A., Defendants,

Of Clyde B. Livingston is the.....Respondent/Appellant.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
RESPONDENT/APPELLANT'S INITIAL (APPELLANT'S) BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

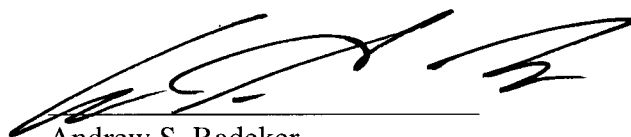
Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Respondent/Appellant

Respondent/Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 30-day extension of the time in which to serve and file Respondent/Appellant's Initial (Appellant's) 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 deadline for service and filing of Respondent/Appellant's Initial (Appellant's) Brief and Designation of Matter to be Included in the Record on Appeal is currently December 29, 2014 (today).
2. Between other work and holiday commitments, the undersigned has not yet been able to complete the brief.
3. Respondent/Appellant's counsel has a brief due in a case pending before the Supreme Court of South Carolina on this Friday, and he also has a day certain trial set for next week.
4. Further, Respondent/Appellant's counsel also has a brief due in another case in this court, for which deadline he is seeking an extension to January 14, 2015.
5. This is the second extension that Respondent/Appellant has sought in this appeal.
6. Appellant/Respondent's counsel has consented to this extension.
7. Respondent/Appellant's counsel believes there is good cause to grant the requested 30-day extension to January 28, 2015.

WHEREFORE Respondent/Appellant prays for an Order extending the time in which to serve and file Respondent/Appellant's Initial (Appellant's) Brief and Designation of Matter to be Included in the Record on Appeal by thirty days.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew S. Radeker', is 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 Respondent/Appellant

December 29, 2014

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And

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Of Clyde B. Livingston is the.....Respondent/Appellant.

PROOF OF SERVICE

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

A. Mattison Bogan, Esq.
Erik T. Norton, Esq.
Tara C. Sullivan, Esq.
Nelson Mullins Riley & Scarborough LLP
P.O. Box 11070
Columbia, SC 29201

December 29, 2014

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
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James C. Harrison, Jr.*
Andrew S. Radeker
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(803) 779-2211
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December 29, 2014

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

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Re: First Citizens Bank, etc. v. Clyde B. Livingston, et al.
Appellate Case No. 2014-001634

Dear Ms. Kitchings:

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

Kindly file these documents and return a file-stamped copy to this office in the stamped and addressed envelope enclosed. 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: A. Mattison Bogan, Esq.
Erik T. Norton, Esq.
Tara C. Sullivan, Esq.

LAW OFFICES
HARRISON & RADEKER, P.A.
P.O. Box 50143
COLUMBIA, SOUTH CAROLINA 29250



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The Hon. Jenny Abbott Kitchings
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