

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Thomas A. Russo, Circuit Judge

Common Pleas Case No. 2011-CP-32-3461
Appellate Case No. 2014-001766

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SC COURT OF APPEALS
74653

Wells Fargo Bank, N.A.,.....Respondent,

v.

Gisela B. Moore, Thomas J. Moore a/k/a Tom J. Moore, and John Moore, Appellants.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANTS' INITIAL 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 Appellants

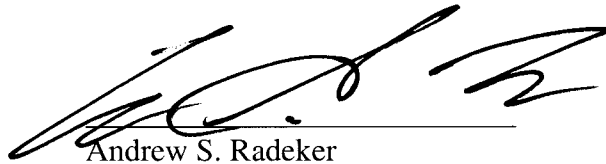
Appellants hereby move pursuant to Rule 263(b), SCACR, for a 16-day extension of the time in which to serve and file Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The deadline for service and filing of Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal is currently today, December 29, 2014.
2. Between other work and holiday commitments, the undersigned has not yet been able to complete the Appellants' brief.
3. Appellants' 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. Appellants' counsel seeks an extension of this deadline through January 14, 2015, in order to give him time to complete the brief. If it were not for the upcoming Supreme Court brief deadline and trial, he would be seeking an extension of less time than this.
5. This is only the second extension that Appellants have sought in this appeal, and Appellants' counsel does not anticipate seeking another extension.
6. Respondent's counsel has consented to this extension, as shown by the attached email message.

7. Appellant's counsel believes there is good cause to grant the requested extension to January 14, 2015.

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 until January 14, 2015.

Respectfully submitted,



Andrew S. Radeker
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(803) 779-2211
Attorney for Appellants

December 29, 2014

Drew Radeker

From: Tommy Lydon <tlydon@mgclaw.com>
Sent: Sunday, December 28, 2014 8:14 PM
To: Drew Radeker
Subject: Re: Wells Fargo v. Moore

No problem. I will consent.

Sent from my iPhone

On Dec 28, 2014, at 7:32 PM, Drew Radeker <Drew@harrisonfirm.com<<mailto:Drew@harrisonfirm.com>>>> wrote:

Tommy:

I hope your Christmas was merry. Would you mind consenting to another extension of this deadline? I have started on the brief and won't need another 30 days to get it done, but I do have a trial next week that I need to get finish getting ready for. I'm considering just asking for an extension through January 14th.

Let me know. Thanks.

Drew Radeker

Harrison & Radeker, P.A.
ATTORNEYS AT LAW
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Personal Injury · Consumer Law · Mediation/Arbitration · False Arrest · Commercial Litigation

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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: Tommy Lydon [<mailto:tlydon@mgclaw.com>]
Sent: Wednesday, November 19, 2014 12:52 PM
To: Drew Radeker
Subject: RE: Wells Fargo v. Moore

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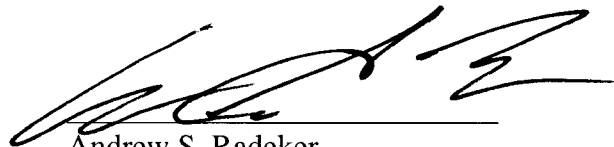
Gisela B. Moore, Thomas J. Moore a/k/a Tom J. Moore, and John Moore, Appellants.

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:

Thomas E. Lydon, Esq.
McAngus, Goudelock & Courie, LLP
P.O. Box 12519
Columbia, SC 29211

December 29, 2014



Andrew S. Radeker
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Andrew S. Radeker
Taylor M. Smith IV

* Mediator/Arbitrator

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Columbia, SC 29250

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

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

Re: **Wells Fargo Bank, N.A. v. Gisela B. Moore, et al.**
Common Pleas Case No.: 2011-CP-32-3461
Appellate Case No. 2014-001766

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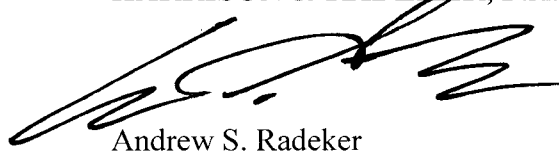
Dear Ms. Kitchings:

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: Thomas E. Lydon, Esq.

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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