

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM YORK COUNTY

Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

74828
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JAN 22 2015

SC Court of Appeals

Case No. 2007-CP- 4305

SunTrust Mortgage , Inc., Respondent,

v.

Mark Ostendorff, Appellant.

MOTION TO FILE LATE REPLY AND

RECORD ON APPEAL

Appellant Ostendorff respectfully moves to this Court, pursuant to Rule 263(b), SCACR, a thirty (30) period in which to file his Record on Appeal and Reply .

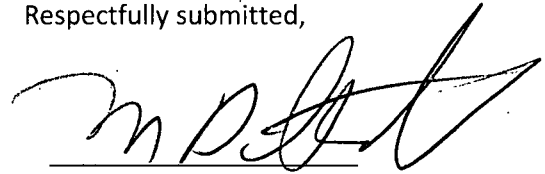
Appellant would like to allow time for The Clerk of Court at The South Carolina Supreme Court to answer Ostendorff's letter requesting information to show The United States Supreme Court that Ostendorff's Order from the compulsory counterclaim received discretionary review.

If Ostendorff's order did not receive discretionary review, then neither did Ostendorff's Motion To Restore Stay (thus not allowing this foreclosure part of trial to have gone forward in the first place). The trial court also did not follow the SC Supreme Court's directions in the case of C & S Real Estate Services v. Massengale, on how to handle compulsory counterclaims before the rest of the initial lawsuit can be tried.

Ostendorff's letter to the SC Supreme Court Clerk and also letter from the US Supreme Court are attached. Also attached is Ostendorff's Petition for Writ to the U S Supreme Court.

January 20, 2015

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Ostendorff', written over a horizontal line.

Mark Ostendorff
135 Cedar Creek Circle 29630
Central, SC 29630
(864) 640-3340
Appellant, Pro Se

Brian S Tatum
Tatum Law Firm
PO Box 11250
Charlotte, NC 28220

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CERTIFICATE OF MAILING

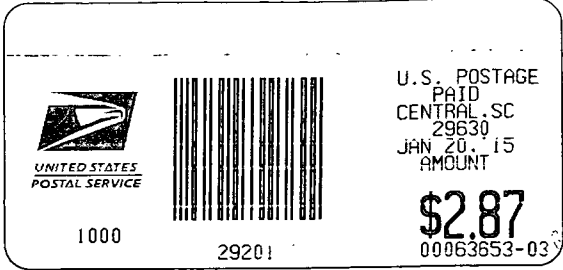
I, Mark Ostendorff, certify that I placed a copy of Motion to File Late Reply and Record on Appeal in the U S Postal Service, with correct postage, to Respondent's attorney at:

Brian S. Tatum
Tatum Law Firm
PO Box 11250
Charlotte, NC 28220

January 20, 2015

Mark Ostendorff
135 Cedar Creek Circle
Central, SC 29630
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Mark D. Ostendorf
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SC COURT OF APPEALS
1015 SUMNER STREET
COLUMBIA, SC 29201

