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MAR 16 2015
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GEORGETOWN COUNTY
CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT

APPELLATE CASE NO. 2015-000295

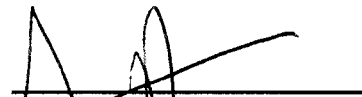
TD Bank, N.A., Successor by merger to Carolina First Bank, N.A., Respondent,

vs.

Sunil V. Lalla and Sharon W. Lalla, Appellants.

**MOTION OF APPELLANTS TO ORDER
TRANSCRIPT OUT OF TIME**

Appellants Sunil V. Lalla and Sharon W. Lalla, move before the Court pursuant to Rule 207 for an Order of the Court permitting the Appellants to Order the Transcript of Proceeding in the Lower Court out of time. This Motion is made on the grounds that due to a miscalculation on the part of Appellants' counsel, the Appellants ordered the Transcript of Record on March 3, 2015, some five (5) days after February 27, 2015, the date on which the transcript should have been ordered. A copy of the letter ordering the transcript, which was sent by United States Mail is attached hereto as "Exhibit A." The undersigned learned of this error on March 13, 2015 when he received the attached letter from the Court of Appeals dated March 9, 2015 (Exhibit "B"). This motion is further made on the grounds that the Transcript is not anticipated to be a lengthy one, and the appeal will not be delayed and the parties will not be prejudiced by the five (5) day delay in ordering the Transcript.



S. Janie Moore
MOORE TAYLOR LAW FIRM, P.A.
Post Office Box 5709
West Columbia, SC 29171
(803) 796-9160
ATTORNEY FOR APPELLANTS

March 16, 2015

Other Counsel of Record:

Thomas W. McGee, III, Esq.
Nelson Mullins, LLP
PO Box 11070
Columbia, SC 29211
(803) 799-2000
ATTORNEY FOR THE RESPONDENT

Exhibit "A"

MOORE TAYLOR

March 3, 2015

Ms. Glenda K McCormick
Alderman Court Reporting
500 Oak Pond Court
Conway, SC 29526

RE: TD Bank, NA et al., vs. Sunil V. Lalla, et al.
C/A #2011-CP-22-00342

Dear Ms. McCormick:

Please be advised that we have filed a Notice of Appeal with regard to the above-referenced matter.

It is our understanding that you were the Court Reporter for the Hearing in this case held before The Honorable Joseph M. Crosby, Master-In-Equity for Georgetown County, on December 10, 2012.

Please let this letter serve as our request for a copy of the transcript for the above-referenced Hearing. If you require a deposit prior to preparing the transcript, please advise and we will be happy to remit payment.

Thank you for your attention to this matter and should anything further be needed, please advise.

Yours very truly,


S. Janus Moore

SJM:dc

cc: SC Court Administration
The Honorable Jenny Abbott Kitchings, Clerk for the Court of Appeals
Thomas W. McGee, III, Esquire

Exhibit "B"



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 09, 2015

Mr. S. Jahue Moore, Esquire
PO Box 5709
West Columbia SC 29171

Re: TD Bank v. Sunil Lalla
Appellate Case No. 2015-000295

Dear Counsel:

Our records reflect that the time for ordering the transcript has expired. Within ten days of the date of this letter, you must file a copy of the letter showing that you have ordered the transcript directly from the court reporter, along with a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules. Be sure to copy the Court, opposing counsel, and the Office of Court Administration with all correspondence concerning the transcript.

Your appeal will be dismissed if no motion is made within ten days of the date of this letter.

Very truly yours,

A handwritten signature in black ink that reads "Jenny Abbott Kitchings". The signature is written in a cursive style and includes a small mark at the end of the line.

CLERK

cc: Thomas Wm. McGee, III, Esquire

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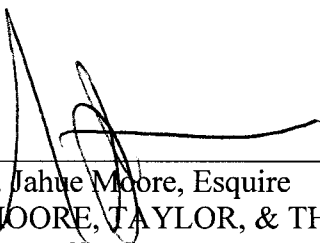
vs.

Sunil V. Lalla and Sharon W. Lalla, Appellants.

PROOF OF SERVICE

I certify that I have served the Motion of Appellants to Order Transcript Out of Time by
mail on March 16, 2015 to the following counsel of record:

Thomas W. McGee, III, Esq.
Nelson Mullins, LLP
PO Box 11070
Columbia, SC 29211


S. Jahue Moore, Esquire
MOORE, TAYLOR, & THOMAS, PA
Post Office Box 5709
West Columbia, SC 29169
(803)-796-9160
(803)-791-8410

ATTORNEY FOR APPELLANTS

MOORE TAYLOR

March 16, 2015

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VIA HAND DELIVERY

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

RE: TD Bank v. Sunil Lalla
Appellate Case No.: 2015-000295

Dear Ms. Kitchings:

You will please find enclosed the original and a copy of Motion of Appellants to Order Transcript Out of Time with regard to the above matter. Also enclosed is a check in the amount of \$25.00 for the filing fee. I would appreciate your filing the original in your office and returning the filed copy to my courier.

Thank you in advance for your assistance in this matter.

Yours very truly,


S. Jahn Moore

SJM:dc
Enclosure
cc w/encl.: SC Court Administration
Thomas W. McGee, III, Esquire

MOORE | TAYLOR
L.L.P.

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The Honorable Jenny Abbott Kitchings
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