

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

The Honorable R. Knox McMahon

Case No. 11-CP-29-00873

Appellate Case No. 2014-001505

RECEIVED
APR 24 2015
SC Court of Appeals

Wells Fargo Bank, N.A.,
Successor by merger to Wachovia Bank, N.A., Respondent,

v.

Ronald P. Pappas, a/k/a Ronald Peter Pappas, and
Camine Pappas, Appellants,

And

Ronald P. Pappas, a/k/a Ronald Peter Pappas, and
Camine Pappas, Cross-Plaintiffs,

v.

Wells Fargo Bank, N.A.,
Successor by merger to Wachovia Bank, N.A., and
Cargo Development, LLC,
A North Carolina limited liability Company, Cross-Defendants.

MOTION FOR
EXTENSION OF TIME

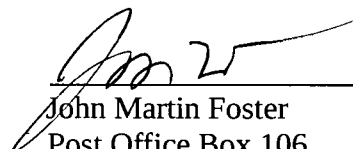
Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order granting the parties a brief extension of time in which to file their final Briefs, on the grounds stated below:

1. The time for filing the parties' final Briefs is presently Monday, April 27th, 2015, that is, twenty (20) days after service of the Record on Appeal.
2. The Clerk has notified counsel for Appellants of deficiencies in the caption of the Record on Appeal, which deficiencies are addressed by labels supplied to the Clerk simultaneously with this Motion.
3. In addition, counsel for both parties have identified mistakes in one portion of the Record on Appeal as filed. Counsel for Appellants has proposed to file a Supplement to the Record to address this problem. Pursuant to Rule 212(b), S.C.A.R.P., counsel for Respondent has agreed to that action in writing, as shown by his e-mail to that effect, which is attached hereto and incorporated herein.
4. Because of these changes and additions, counsel for Appellants requests an extension of time for an additional seven (7) days, that is, through Monday, May 4th, 2015, for the parties to file their final briefs.

The basis of this Motion is the within-cited Rule, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move this Court for an extension of time in which the parties file their final Briefs for an additional period, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

April 22, 2015



John Martin Foster
Post Office Box 106
Rock Hill, S.C. 29731-6106
(803) 324-8100
Attorney for Appellants

Subject: RE: Wells Fargo v Pappas: status (Correction)
From: "Laney, Sterling" <SLaney@wcsr.com>
Date: 04/21/2015 01:34 PM
To: "'John Martin Foster'" <jmfoster@comporium.net>
CC: "Carroll, Todd" <Todd.Carroll@wcsr.com>

Martin, we consent. Understand that you will be including all pages of Mr Pappas' deposition in addition to addressing the other concerns of the Court. Thank you.

S Sterling Laney, III
Womble, Carlyle, Sandridge & Rice, LLP
550 South Main Street, Suite 400
Greenville, SC 29601
Phone 864-255-5429
Fax 864-239-5862

From: John Martin Foster [mailto:jmfoster@comporium.net]
Sent: Tuesday, April 21, 2015 1:24 PM
To: Laney, Sterling
Subject: Wells Fargo v Pappas: status (Correction)

Mr. Laney:

From the Court of Appeals clerk, I understand that all we need to supplement the Record is your "written consent" in the language of Rule 212(b): they are satisfied with an e-mail to that effect. Again, I understood from our last conversation this was OK with you. If so, please get me and/or the Court your approval.

I expect to send you a RoA with a revised label by tomorrow, together with the Supplement and my Motion for a week's extension to file the final briefs.

--

Martin Foster

JMFOSTER@COMPORIUM.NET

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v.

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And

Ronald P. Pappas, a/k/a Ronald Peter Pappas, and
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Cargo Development, LLC,
A North Carolina limited liability Company, Cross-Defendants.

PROOF OF SERVICE

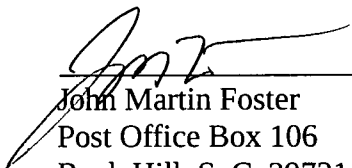
I certify that I have served the **Motion for Extension of Time** as to the final Briefs, dated April 22, 2015, on the following counsel or persons of record:

S. Sterling Laney, III
Womble Carlyle Sandridge & Rice, LLP
550 South Main Street, Suite 400
Greenville, SC 29601
Attorneys for Respondent

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the

respective last known address(es) of those attorney(s) and/or persons set out below; or
by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving it in a conspicuous place therein; of if the office was closed or the person to be served has no office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 262(b), S.C.A.C.R.

April 22, 2015



John Martin Foster
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JOHN MARTIN FOSTER

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Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

April 22, 2015

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Wells Fargo Bank, N.A., Respondent,
v. Ronald P. Pappas and Camine Pappas, Appellants.
Appellate Case No. 2014-001505

Dear Ms. Kitchings:

In accordance with the cited Rules, enclosed herewith please find the following documents in the above appellate case:

- the original and seven (7) copies of Appellants' Motion for Extension of Time to file final Briefs, including as an attachment counsel for Respondent's written agreement to a Supplement to the Record on Appeal, together with Certificate of Service for the same, and our check for the Motion fee of \$25.00;
- the printed labels to correct the caption on the filed Record on Appeal;
- the original and fifteen (15) copies of the Certificate of Service for the corrected Record on Appeal;
- the original and fifteen (15) copies of the Supplement to the Record on Appeal, together with Certificate of Service for the same.

By copy of this letter, I am serving the attorney for the Respondent with copies of all

indicated documents, as evidenced by the referenced Certificates of Service.

Please return the extra conformed copies to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,



John Martin Foster

jmf/
enclosures

cc: Client File

S. Sterling Laney, III
Womble Carlyle Sandridge & Rice, LLP
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Greenville, SC 29601
Attorneys for Respondent
864 255-5417