

The Supreme Court of South Carolina

Ex parte: Frank Love, Appellant.

In re:

Alan D. Wilson, in his official capacity as the Securities
Commissioner for the State of South Carolina,
Plaintiff/Respondent,

v.

Capital Consortium Group, LLC; 3 Hebrew Boys, LLC;
Tony Pough, a/k/a Tony Bernard Pough; Tim McQueen
a/k/a Timothy McQueen; Joseph Brunson a/k/a Joseph B.
Brunson; Daniel Development Group, LLC; and First
Citizens Bank and Trust Co., Inc.,
Defendants/Respondents.

Appellate Case No. 2011-198907

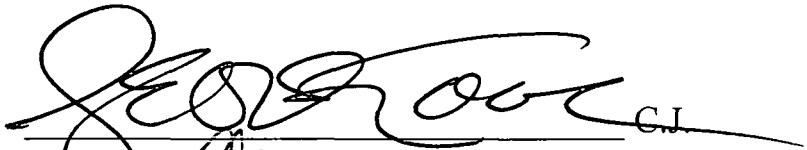
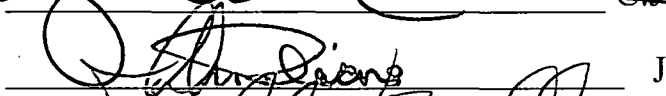
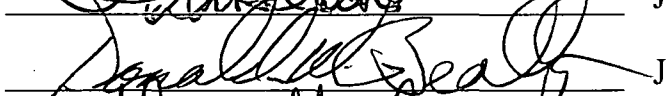
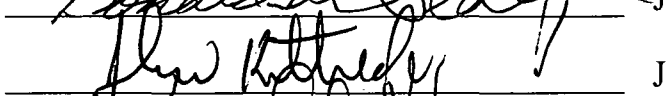
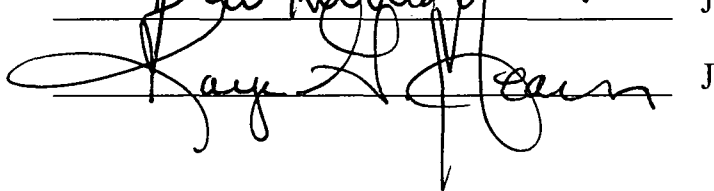
ORDER

Plaintiff/respondent filed a motion to file its initial brief out of time and a request for an extension of time. Therein, plaintiff/respondent seeks an extension of time to file his initial brief and/or a motion to dismiss. Appellant filed a return in opposition to the motion. Plaintiff/respondent subsequently filed a motion to dismiss, arguing appellant's initial brief does not comply with the South Carolina Appellate Court Rules and that there are no issues preserved for appellate review.

Appellant has filed a "Motion for Judgment SCRCP 12(c) and/or to Remand case Back to State Court – reference Jurisdictional '...challenge on state or federal grounds to the constitutionality of a state law...' SCRCP Rule 203(d)(1)(A)(ii)." More recently, appellant filed a document demanding a decision on his motion.

We grant the motion for an extension of time and accept the motion to dismiss as filed. Appellant's motion for judgment and/or to remand is denied. However, the

motion to dismiss is granted because appellant's initial brief does not comply with Rule 208(b), SCACR. *Henning v. Kaye*, 307 S.C. 436, 415 S.E.2d 794 (1992).

 C.J.
 J.
 J.
 J.
 J.

Columbia, South Carolina

August 23, 2012

cc:

Frank Love

Hemphill P. Pride, II

William Michael Duncan

Alan McCrory Wilson

J. C. Nicholson, III

Stanley H. McGuffin