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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

RECEIVED

JUL 09 2015

SC Court of Appeals

Appellate Case No. 2014-002467

Dealer Services Corporation Respondent,

v.

Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault; Christopher Drye d/b/a Drye's Auto Crushing; Ben D. Kochenower, CPA; Automotive Finance Corporation; Grandsouth Bank d/b/a CarBucks; Mason Motors, Inc. d/b/a Mason Ent.; American Community Bank, a Division of Yadkin Valley Bank and Trust Company; Quick Capital, LLC d/b/a Quick Capital; and Auto Bank Floorplan, LLC Defendants,

Of whom,

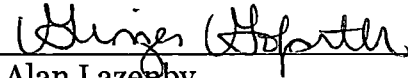
Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault are the Appellants.

MOTION TO FILE RECORD ON APPEAL OUTSIDE OF TIME

Appellants Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; and Michael Wayne Gault move pursuant to Rule 240, SCACR for an order permitting Appellants to serve a copy of the Record on Appeal pursuant to Rule 210(a) outside of time.

Appellant received a copy of Respondent's brief on May 21, 2015. A copy of the record on appeal should have been served on Respondent by June 20, 2015. Due to a calendaring error, this deadline was not met. This error was inadvertent, and not intended to prejudice Respondent. An extension of time to allow Appellants to serve the copy of the record on appeal will not work any prejudice to Respondent. Appellants therefore respectfully request that the Court grant them permission to file the record on appeal outside of time.

Respectfully submitted,



D. Alan Lazenby
Ginger D. Goforth
LAZENBY LAW FIRM, LLC
PO Box 6099
Spartanburg, SC 29304
(864) 804-5050

ATTORNEYS FOR APPELLANTS

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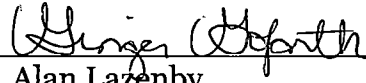
Of whom,

Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault are the Appellants.

PROOF OF SERVICE

I, the undersigned, hereby certify the Motion to File Record on Appeal Outside of Time in the above referenced matter was mailed, postage prepaid, to Respondent's Attorney, Robert Goings on July 7, 2015 as follows:

Robert F. Goings, Esq.
P.O. Box 436
Columbia, SC 29202



D. Alan Lazenby

Ginger D. Goforth

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Spartanburg, SC 29304

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ATTORNEYS FOR APPELLANTS

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LAZENBY LAW FIRM, LLC SC Court of Appeals
ATTORNEYS AT LAW

D. ALAN LAZENBY *
GINGER D. GOFORTH

*ALSO LICENSED IN GA

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340 E. MAIN ST., SUITE 240
SPARTANBURG, SC 29302
PHONE: 864-804-5050
FAX: 864-804-5051

July 7, 2015

The Honorable Jenny Abbott Kitchings
SC Court of Appeals Clerk
PO Box 11629
Columbia, SC 29211

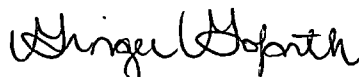
**Re: Dealer Services Corporation, Respondent v. Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault; Christopher Drye d/b/a Drye's Auto Crushing; Ben D. Kochenower, CPA; Automotive Finance Corporation; Grandsouth Bank d/b/a CarBucks; Mason Motors, Inc. d/b/a Mason Ent; American Community Bank, a Division of Yadkin Valley Bank and Trust Company; Quick Capital, LLC d/b/a Quick Capital; and Auto Bank Floor plan, LLC, Defendants, Of Whom Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault are the Appellants
In the Court of Common Pleas for Cherokee County
Appellant C.A. No: 2014-002467**

Dear Ms. Kitchings:

Enclosed for filing are an original and seven copies of a Motion to File Record on Appeal Outside of Time in the above case. I also include a Proof of Service certifying service of these documents upon Robert Goings, Esq.

Please file the original and send a clocked copy back to me in the envelope I have enclosed for your convenience. I appreciate your assistance in this regard.

Sincerely,



Ginger D. Goforth
ginger@lazenbylawfirm.com

GDG: je
Enclosures
cc: Robert Goings, Esq. (via US Mail)

W FIRM
'99
RG SC 29304-6099

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THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF COURT FOR COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211-1629

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