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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2014-CP-12-00272  
Appellate Case No. 2015-001015

RECEIVED  
JUL 27 2015  
SC Court of Appeals

TD Bank, N.A., Successor by  
merger with  
Carolina First Bank,

Respondent,

v.

Joseph L. Huckabee, Jr., a/k/a  
Joseph Laverne Huckabee,

Appellant.

MOTION FOR EXTENSION OF TIME  
AND TO CONSOLIDATE APPEALS

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by his counsel herein, moves this Court for an order granting him an extension of time in which to file his Initial Brief and Designation of Matter to be included in the Record on Appeal, and

To consolidate appeals, on the grounds stated below:

1. By receipt of the Transcript of Hearing herein on May 26, 2015 and Order of this Court filed July 17<sup>th</sup>, 2015, the Appellant's Initial Brief and Designation of Matter to be included in the Record is due as of July 27<sup>th</sup>, 2015.
2. Due to the press of business, counsel for Appellant has been unable to complete the Initial Brief and Designation of Matter to be included in the Record on Appeal within that period.


3. Counsel believes the same can be filed within thirty (30) days, that is: on or before Wednesday, August 26<sup>th</sup>, 2015.
4. The legal issues in this appeal and that designated as TD BANK, N.A., Respondent, v. JOSEPH L. HUCKABEE et al., Appellants, Appellate Case No. 2015-001018 are similar, if not identical, as is the Respondent in both cases and some of the Appellants, all of which Appellants consent to this Motion to Consolidate.

The basis of this Motion is the within-cited Rule, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court for an extension of time in which to file his Initial Brief and Designation of Matter to be included in the Record on Appeal, for a period of thirty (30) days, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R. and

To consolidate the appeals referenced above.

July 23, 2015

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellant

Other Counsel of Record:

John T. Moore  
Brandon Keith Poston  
Nelson Mullins Riley & Scarborough, LLP  
Post Office Box 110070  
Columbia, S. C. 29211  
Attorneys for Respondent  
(803) 255-9518

Matthew J. Modica  
U.S. Attorney's Office  
151 Meeting Street, Suite 200  
Charleston, S. C. 29401  
Attorney for United States: IRS  
(843) 266-1600

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Joseph Laverne Huckabee,

Appellant.

PROOF OF SERVICE

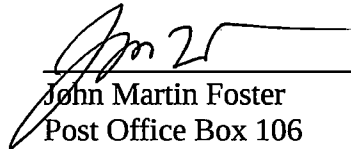
I certify that I have served the Appellant's Motion for Extension of Time dated July 23, 2015, on the following counsel or persons of record:

John T. Moore  
Brandon Keith Poston  
Nelson Mullins Riley & Scarborough, LLP  
Post Office Box 110070  
Columbia, S. C. 29211

Matthew J. Modica  
U.S. Attorney's Office  
151 Meeting Street, Suite 200  
Charleston, S. C. 29401

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 above, pursuant to Rule 262(b), S.C.A.C.R.

July 23, 2015

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellant

JOHN MARTIN FOSTER

*Attorney at law*

---

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

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July 23, 2015

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

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JUL 27 2015

SC Court of Appeals

Re: TD Bank, N.A., Successor by merger with Carolina First Bank, Respondent  
v. Joseph L. Huckabee, a/k/a Joseph Laverne Huckabee, Jr., Appellant  
Case No.: 2014-CP-12-00272  
Appeallate Case No. 2015-001015

Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellant's Motion for Extension of Time and to Consolidate Appeals, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Motion, as evidenced by the Certificate of Service.

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

Sincerely,

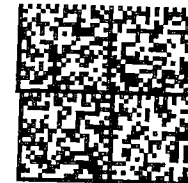
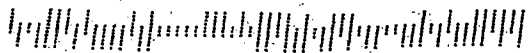



John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Appellant

jmf/  
enclosures

cc: John T. Moore  
Brandon Keith Poston  
Nelson Mullins Riley & Scarborough, LLP  
Post Office Box 110070  
Columbia, S. C. 29211  
Attorneys for Respondent  
(803) 255-9518

Matthew J. Modica  
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151 Meeting Street, Suite 200  
Charleston, S. C. 29401  
Attorney for United States: IRS  
(843) 266-1600



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**John Martin Foster Attorney**

223 East Main St Suite 520  
Post Office Box 106  
Rock Hill SC 29731-6106

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**TO:** THE HONORABLE JENNY ABBOTT KITCHINGS  
CLERK OF THE COURT OF APPEALS  
POST OFFICE BOX 11629  
COLUMBIA, S.C. 29211

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