

# Nelson Mullins

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AUG 10 2015

S.C. Supreme Court

Merritt G. Abney  
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August 10, 2015

**Via Hand Delivery**

The Honorable Daniel E. Shearouse  
Clerk of Court  
South Carolina Supreme Court  
Post Office Box 11330  
Columbia, SC 29211

RE: The Bank of New York Mellon, as Successor Trustee under NovaStar Mortgage Funding Trust, Series 2004-1 v. Rachel R. Lindsay, et al.  
South Carolina Supreme Court Case No. 2015-001522  
Appellate Case No. 2013-002066  
South Carolina Supreme Court Case No. 2015-001522  
Our File No.: 33576/01503

Dear Mr. Shearouse:

Respondents The Bank of New York Mellon, as Successor Trustee under NovaStar Mortgage Funding Trust, Series 2004-1 and Saxon Mortgage Service (together, "Respondents") respectfully move for a twenty (20) day extension of time to file a Return to the Petition for Writ of Certiorari (the "Return") in this matter. We have enclosed our firm's check in the amount of \$25.00 in payment of the filing fee associated with this request.

Respondents' Return is currently due on or before August 17, 2015; accordingly, with this extension, the Respondents' Return would be due on or before Tuesday, September 8, 2015.

The extension is necessary due to counsel for Respondent's current workload and numerous competing deadlines in other matters. Respondents' counsel has not previously requested an extension, and counsel for Appellant consents to this extension request pursuant to the email enclosed herewith.

Your consideration is most appreciated.

Very truly yours,

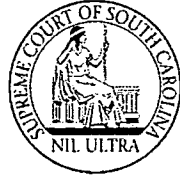
Merritt G. Abney

MGA:ll  
Enclosure

S.C. SUPREME COURT

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# The Supreme Court of South Carolina

Merritt Gordon Abney  
151 Meeting St., Ste. 600  
Charleston SC 29401

08/10/2015

## RECEIPT #76889

<b>Case No:</b>	2015-001522
<b>Case Short Title:</b>	Bank of New York Mellon v. Rachel R. Lindsay
<b>Event:</b>	Motion - Extension of Time (1st)
<b>Fee Type:</b>	Motion Fee
<b>Amount:</b>	\$25.00
<b>Payment Type:</b>	Check
<b>Reference No:</b>	795980
<b>Check/Money Order Date:</b>	08/10/2015
<b>Comments:</b>	