

76911

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM YORK COUNTY  
Court of Common Pleas

AUG 12 2015

Daniel Dewitt Hall, Circuit Court Judge

SC Court of Appeals

Case No. 2014-CP-46-01638

Appellate Case No. 2015-001018

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

Respondent,

v.

Joseph L. Huckabee, Jr., a/k/a  
Joseph Laverne Huckabee,  
Pat Huckabee; and  
The Huckabee, LLC,

Appellants.

MOTION TO CONSOLIDATE APPEALS

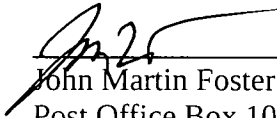
Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order to consolidate appeals, on the grounds stated below:

1. The legal issues in this appeal and that designated as Appellate Case No. 2015-001015 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 Appellants herein move this Court to consolidate this Appeal with that in that appeal entitled TD BANK, N.A., Respondent, v. JOSEPH L. HUCKABEE, Appellate Case No. 2015-001015.

August 10, 2015

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

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

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

Daniel Dewitt Hall, Circuit Court Judge

Case No. 2014-CP-46-01638

Appellate Case No. 2015-001018

RECEIVED  
AUG 12 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.

PROOF OF SERVICE


I certify that I have served the Appellant's Motion to Consolidate Appeals dated August 10, 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.

August 10, 2015

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

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

---

August 10, 2015

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

**RECEIVED**

AUG 12 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 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.

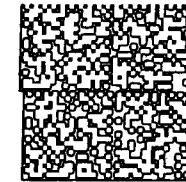
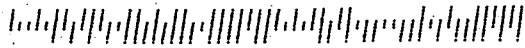
Sincerely,



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

jmf/  
enclosures

cc: John T. Moore	Matthew J. Modica
Brandon Keith Poston	U.S. Attorney's Office
Nelson Mullins Riley & Scarborough, LLP	151 Meeting Street, Suite 200
Post Office Box 110070	Charleston, S. C. 29401
Columbia, S. C. 29211	Attorney for United States: IRS
Attorneys for Respondent	(843) 266-1600
(803) 255-9518	



neopost N042J80027835  
**\$2.96**  
08/10/15  
Mailed From 29730  
US POSTAGE

**RECEIVED**

AUG 12 2015

SC Court of Appeals

**John Martin Foster Attorney**

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

---

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