

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Maité Murphy, Circuit Court Judge

Case No. 2012-CP-10-1160

RECEIVED

AUG 25 2015

SC Court of Appeals

Daniel O. Myers and
Bethany A. Thies,

Respondents,

v.

John Melot,

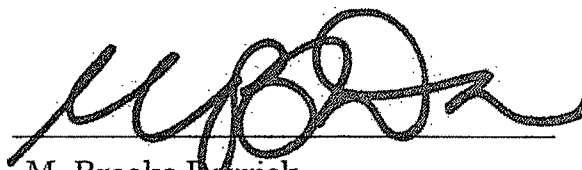
Appellant.

MOTION TO EXTEND TIME TO SERVE APPELLANT'S RETURN

Now comes Appellant, by and through his undersigned counsel, and respectfully requests this Court for an Order extending the time to serve a Return to Respondents' Motion to Dismiss. In support of this Motion, Appellant respectfully shows the following:

1. Respondents served their Motion to Dismiss by mail on August 11, 2015, as indicated on their Proof of Service.
2. Appellants received the Motion to Dismiss by mail on August 14, 2015. (See Ex. 1.)
3. Counsel for Appellant inadvertently calendared August 15, 2015 as the last day for service of the return to Respondents' Motion to Dismiss, but August 21, 2015 was the actual last day for service of the return.
4. Therefore, counsel for Appellant respectfully moves this Court for an Order extending the time to serve Appellant's Return to Respondents' Motion to Dismiss due to counsel's mistake and inadvertence.

August ²⁵ 2015



M. Brooks Derrick
Law Office of M. Brooks Derrick
36 Broad Street
Charleston, South Carolina 29401
(843) 410-2545

Attorney for Appellant

Other Counsel of Record:
Mary Leigh Arnold
749 Johnnie Dodds Blvd., Suite B
Mt. Pleasant, South Carolina 29464
(843) 971-6053
Attorney for Respondent

Exhibit 1

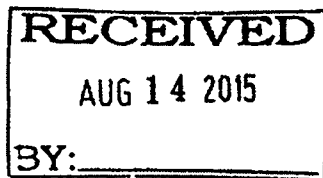
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SC Court of Appeals

A MARY LEIGH ARNOLD P.A.

Attorney and Counselor at Law



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August 11, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court, SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE. Wells Fargo vs. Daniel Myers et. al.
Case No.: 2012-CP-10-1160

Ms. Kitchings:

Enclosed please find for filing with your office, Respondents' Motion to Dismiss the above referenced appeal which does not show record as of the submission of this letter. Accompanying here with is the Proof of Service for the Motion to Dismiss along with the filing fee.

The Court's consideration in this matter is greatly appreciated.

With kind regards,

MARY LEIGH ARNOLD, PA


Mary Leigh Arnold

CC:
Brooks Derrick, Esq.
David Collins, Esq.



Law Office of M. Brooks Derrick, LLC
36 Broad Street
Charleston, SC 29401
(843) 723-5152
OPERATING ACCOUNT

FIRST RELIANCE BANK
Charleston, SC 29401
www.firstreliance.com
67-800/532

3986

08/25/2015

PAY TO THE ORDER OF Clerk, South Carolina Court of Appeals

\$ **25.00

Twenty-five and 00/100***** DOLLARS

Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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VOID AFTER 90 DAYS

MEMO Filing Fee (Melot)

003986

Law Office of M. Brooks Derrick, LLC
08/25/2015 Clerk, South Carolina Court of Appeals

3986
25.00

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AUG 25 2015
SC Court of Appeals

Operating Account Filing Fee (Melot)

25.00

Law Office of M. Brooks Derrick, LLC
08/25/2015 Clerk, South Carolina Court of Appeals

3986
25.00

PAYMENT
RECORD

Operating Account Filing Fee (Melot)

25.00

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SC Court of Appeals

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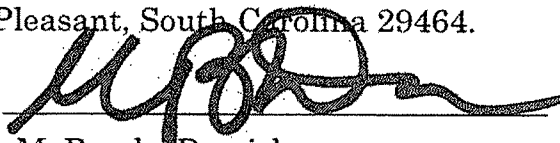
John Melot,

Appellant.

PROOF OF SERVICE

I certify that I served the Motion to Extend Time to Serve Appellant's Return on Daniel O. Myers and Bethany A. Thies by depositing a copy in the United States Mail, postage prepaid, on August 25, 2015 addressed to their counsel of record, Mary Leigh Arnold, 749 Johnnie Dodds Blvd., Suite B, Mt. Pleasant, South Carolina 29464.

August 25, 2015



M. Brooks Derrick
Law Office of M. Brooks Derrick
36 Broad Street
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(843) 410-2545

Attorney for Appellant

Other Counsel of Record:
Mary Leigh Arnold
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Attorney for Respondent



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36 BROAD STREET CHARLESTON, SOUTH CAROLINA 29401
WWW.DERRICKLAWOFFICE.COM

August 25, 2015

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AUG 25 2015

Via U.S. Mail

SC Court of Appeals

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

Re: Myers v. Melot, 2012-CP-10-1160

Dear Ms. Kitchings:

Please find enclosed herewith the Motion to Extend Time to Serve Appellant's Return in the above-referenced matter. I have also enclosed a Proof of Service of the Motion to Extend Time to Serve Appellant's Return on the respondent, six copies of the Motion, and a check in the amount of \$25.00 to cover the cost of filing the Motion.

Should you have any questions or require any additional information, please do not hesitate to contact me at (843) 410-2545 or via email (sboiter@derricklawoffice.com).

With kind regards,

A handwritten signature in black ink, appearing to read 'Sally Boiter', written over a horizontal line.

Sally Boiter

Assistant to M. Brooks Derrick

Enclosure(s): as stated

cc: Mary Leigh Arnold (via Email and U.S. Mail)

M. BROOKS DERRICK, ATTORNEY & COUNSELOR AT LAW

BDERRICK@DERRICKLAWOFFICE.COM

843.723.5152 (PH) 843.410.5664 (FAX)