

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2015-001543

**RECEIVED**

DEC 30 2015

SC Court of Appeals

The Bank of New York Mellon Trust Company, N.A,  
not in its individual capacity but solely as trustee on behalf of the  
FDIC 2013-N1 Asset Trust,

Respondent,

v.

Cornell Riley,

Appellant.

**RESPONDENT'S MOTION FOR ENLARGEMENT OF TIME  
TO SERVE THE INITIAL BRIEF AND DESIGNATION OF MATTER**

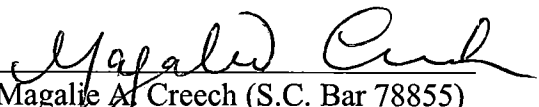
Undersigned counsel for Respondent The Bank of New York Mellon Trust Company, N.A, not in its individual capacity but solely as trustee on behalf of the FDIC 2013-N1 Asset Trust respectfully moves before the Court for a thirty (30) day extension of time in which to serve the Initial Brief and Designation of Matter. The Initial Brief and Designation of Matter are due to be served upon Appellant Cornell Riley on or before Thursday, January 7, 2016. If the requested enlargement is granted, the new due date would be Monday, February 8, 2016.

Bank of New York Mellon Trust v. Cornell Riley  
Appeal from Dorchester County Court of Common Pleas  
Appellate Case No. 2015-001543

The grounds for this Motion are that Respondent has not yet received the transcript of the summary judgment hearing held on April 16, 2015, and which resulted in the Order that is the subject of this appeal. Additionally, Appellant's Designation of Matter does not include the transcript of the summary judgment hearing held on April 16, 2015. By separate correspondence, Respondent has requested that the Appellant supplement Appellant's Designation of Matter to include the corresponding transcript of the hearing. The other pressing deadlines of the undersigned also are grounds for this Motion.

Respectfully submitted,

FINKEL LAW FIRM LLC

  
Magalie A. Creech (S.C. Bar 78855)  
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*Attorneys for Respondent*

December 28, 2015

CC:  
Cornell Riley  
100 Madison Ave.  
Ladson, South Carolina 29456

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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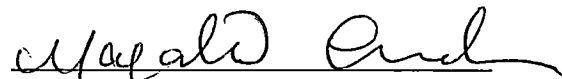
Appellant.

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PROOF OF SERVICE

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I certify that I have served the *Respondent's Motion for Enlargement of Time to Serve the Initial Brief and Designation of Matter* by depositing a copy of same in the United States Mail, postage prepaid, on December 28, 2015, addressed to Appellant of record, Cornell Riley, 100 Madison Ave., Ladson, South Carolina 29456.



Magalie A. Creech (SC Bar #78855)

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*Attorney for Respondent*

December 28, 2015



MAGALIE A. CREECH  
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REPLY TO:  
CHARLESTON LITIGATION

December 28, 2015

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

RE: The Bank of New York Mellon Trust Company, N.A., not in its individual capacity but solely as trustee on behalf of the FDIC 2013-N1 Asset Trust v. Cornell Riley  
Appellate Case No.: 2015-001543  
Our File No.: 65050.48466

Dear Ms. Kitchings:


Enclosed for filing is the *Respondent's Motion for Enlargement of Time to Serve the Respondent's Initial Brief and Designation of Matter* and related *Proof of Service* in the above-referenced case, along with six (6) copies, which we kindly ask you to file and return in the attached, self-addressed, stamped envelope. Enclosed also is check number 59679 in the amount of \$25.00 for the filing fee.

Should you have any questions concerning this matter, please do not hesitate to contact our office at your earliest convenience.

With kind personal regards, we are

Yours very truly,

FINKEL LAW FIRM



Magalie A. Creech



CC: Cornell Riley

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DEC 30 2015  
SC Court of Appeals

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**FINKEL**  
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DFB/MAC

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