

78274

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Maité Murphy, Circuit Court Judge

Appellate Case No.: 2015-001748

Wells Fargo Bank N.A., as  
trustee for the Certificate  
holders of Banc of  
America Mortgage  
Securities, Inc., Mortgage  
Pass-Through  
Certificates, Series 2005-  
E,

**RECEIVED**

DEC 29 2015

**SC Court of Appeals**

v.

Daniel O. Myers, Bethany  
A. Theis and Bank of  
America N.A.,  
Defendants, Daniel O.  
Myers and Bethany A.

Respondents

v.

Aubie Melot, John Melot  
and Carolina One, LLC,  
Third-Party Defendant of  
whom John Melot is the  
Appellant.

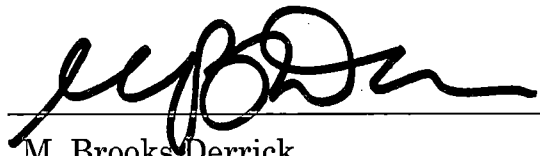
Appellant

MOTION TO EXTEND TIME TO FILE BRIEF OF APPELLANT

Appellant John Melot respectfully moves this Court for an Order extending the time to serve and file the Brief of Appellant, and in support of this motion, Appellant respectfully shows the following:

1. Appellant received this Court's December 10, 2015 Order on December 14, 2015 granting Appellant's request extending the time to serve and file Appellant's initial brief and designation of the matter until December 21, 2015.
2. This Court's Order further stated that no extension would be granted absent extraordinary circumstances.
3. Counsel for Appellant has been diagnosed with cervical radiculopathy, and the pain has intensified over the last few weeks.
4. The pain has been excruciating and has severely impeded my ability to finish the work required by this Court.
5. Counsel for Appellant has communicated with opposing counsel, and she has consented to the extension.
6. Therefore, Appellant respectfully moves this Court for an Order extending the time to serve and file the Brief of Appellant.

December 21, 2015



M. Brooks Derrick  
Law Office of M. Brooks Derrick  
PO Box 967  
224 NE Main Street  
Simpsonville, SC 29681  
(864) 881-2281

*Attorney and Counselor 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 Respondents*

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In The Court of Appeals

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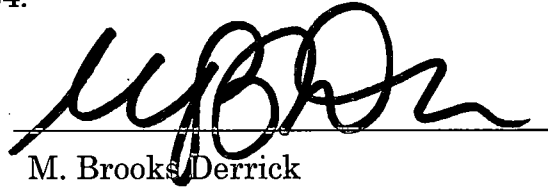
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**PROOF OF SERVICE**

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I certify that I have served the Motion to Extend Time to File Brief of Appellant on Respondents by depositing a file, stamped copy in the United States Mail, postage prepaid, on November 23, 2015, addressed to his attorney of record, Mary Leigh Arnold, 749 Johnnie Dodds Blvd., Suite B, Mount Pleasant, South Carolina 29464.

December 21, 2015

A handwritten signature in black ink, appearing to read 'M. Brooks Derrick', written over a horizontal line.

M. Brooks Derrick  
Law Office of M. Brooks Derrick  
224 NE Main Street  
Simpsonville, SC 29681  
(864) 881-2281

*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 Respondents*



LAW OFFICE OF M. BROOKS DERRICK  
ATTORNEYS & COUNSELORS AT LAW

224 N.E. MAIN STREET, P.O. BOX 967  
SIMPSONVILLE, SC 29681

(846) 881-2281  
(864) 729-3680 (FAX)

December 21, 2015

Via Fax and U.S. Mail

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211  
Fax: (803) 734-1839

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DEC 29 2015  
SC Court of Appeals

Re: *Wells Fargo Bank, N.A. v. Daniel O. Myers*  
Appellate Case No.: 2015-001748

Dear Ms. Kitchings:

I have enclosed the Motion to Extend Time to File Brief of Appellant in the above-referenced matter. I have also enclosed a Proof of Service 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 (864) 881-2281 or via email (bderrick@derricklawoffice.com).

With kind regards

M. Brooks Derrick

Enclosure(s): as stated

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

**F**

**US POSTAGE AND FEES PAID**

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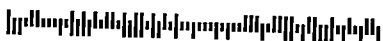
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M. BROOKS DERRICK  
224 NE MAIN ST  
SIMPSONVILLE SC 29681-2318

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**Ship To:**

THE HONORABLE JENNY ABBOTT KITCHINGS  
CLERK, SOUTH CAROLINA COURT OF APPEALS  
PO BOX 11629  
COLUMBIA SC 29211-1629



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SC Court of Appeals