

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

FEB 02 2016

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 January 10, 2016 Order on January 15, 2016 granting Appellant's request extending the time to serve and file Appellant's initial brief and designation of the matter until February 1, 2016.
2. This Court's Order further stated that no extension would be granted absent extraordinary circumstances.
3. Counsel for Appellant continues to suffer from the cervical radiculopathy, which continues to inhibit his ability to work effectively.
4. As a result of this, Counsel for Appellant will receive epidural injections for the pain on February 16, 2016.
5. If Counsel for Appellant is able to promptly return to work, I don't foresee another request of this nature.
6. Therefore, Appellant respectfully moves this Court for an Order extending the time to serve and file the Brief of Appellant.

February 1, 2016



M. Brooks Derrick
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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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Appellant

PROOF OF SERVICE

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 February 1, 2016, addressed to his attorney of record, Mary Leigh Arnold, 749 Johnnie Dodds Blvd., Suite B, Mount Pleasant, South Carolina 29464.

February 1, 2015



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

Attorney for Appellant

Other Counsel of Record:
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(864) 757-0757
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February 1, 2016

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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FEB 02 2016

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)*