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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM YORK COUNTY
Court of Common Pleas

MAR 23 2016

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 FOR EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order granting an extension of time in which to file the Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal in the matter above, on the grounds stated below:

1. The Appellant has previously moved to consolidate this Appeal above and that also filed in this civil action designated as TD BANK, N.A., Respondent, v. JOSEPH L. HUCKABEE, a/k/a Joseph Lavern Huckabee, Jr.; PAT HUCKABEE; THE HUCKABEE, LLC and the UNITED STATES OF AMERICA, by the Internal Revenue Service, Defendants, of whom JOSEPH L. HUCKABEE, a/k/a Joseph Lavern Huckabee, Jr.; PAT HUCKABEE; THE HUCKABEE, LLC are the Appellants, Appellate Case No. 2015-002456 on

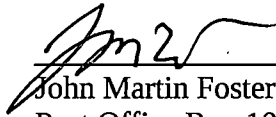
the basis of the similarity of issues involved.

2. All Appellants in both Appeals had consented to that Motion to Consolidate. By its letter of January 20, 2016, the Court has acknowledged the consolidation of these appeals.
3. Over the Appellants' continuing objection, the Circuit Court scheduled another final hearing in this matter, which was held on March 8, 2016.
4. At the hearing on March 8, 2016, the Court indicated its intent to issue an Order granting foreclosure. As of this date, that Order has neither been filed with the Clerk of Court nor served on the Appellants herein. Upon filing and receipt, the Appellants will file a third Notice of Appeal herein, dealing with the same issues in this civil action.
5. Once this foreclosure Order is received and appealed, judicial economy will be served by allowing the Appellants to consolidate all appeals and file their Brief herein dealing with all issues and appeals in the final, consolidated appeals in this civil action.
6. To the end of judicial economy, the Appellants have moved for an extension of time in which to file their Initial Brief and Designation of Matter until the appeal resulting from the March 8, 2016 Order occurs. In response, the Court has required the Appellants' Brief by this date of March 21, 2016..
7. Without attempting to try the patience of this Court, and in the hope that this Motion has more adequately explained the present procedural status, the Appellants again move for an extension of time in which to file their Initial Brief and Designation of Matter until the appeal resulting from the March 8, 2016 Order occurs, or until this Motion may be adequately addressed.
8. Counsel for Appellants has also been prevented from further action herein due to the press of business in his office.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellants herein move for an extension of time in which to file their Initial Brief and Designation of Matter until the appeal of the Order from the hearing on March 8, 2016 is filed and any resulting appeal therefrom is perfected, or, in the alternative, until this Motion is determined.

March 21, 2016



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803 324-8100
Attorney for Appellants

Other Counsel of Record:

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PROOF OF SERVICE

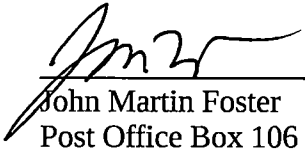
I certify that I have served the Appellant's Motion for Extension of Time dated March 21, 2016, on the following counsel or persons of record:

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.

March 21, 2016



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803 324-8100
Attorney for Appellants

JOHN MARTIN FOSTER

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March 21, 2016

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SC Court of Appeals

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

Re: TD Bank, N.A., Successor by merger with Carolina First Bank, Respondent
v. Joseph L. Huckabee, a/k/a Joseph Laverne Huckabee, Jr., et al., Appellants
Case No.: 2014-CP-46-01638
Appellate Case No. 2015-001015

TD Bank, N.A., Successor by merger with Carolina First Bank, Respondent
v. Joseph L. Huckabee, a/k/a Joseph Laverne Huckabee, Jr., et al., Appellants
Case No.: 2014-CP-46-01638
Appellate Case No. 2015-002456

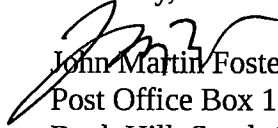
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(b), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of a) the Appellants' Motion for Extension of Time, together with the Certificate of Service for the same in the above referenced consolidated cases. I also enclose our check for the Motion fees 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.

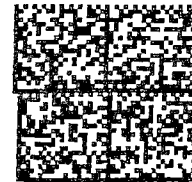
Please return the extra conformed copies to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely,



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

jmf/
enclosures

cc: John T. Moore	Matthew J. Modica
Brandon Keith Poston	U.S. Attorney's Office
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Columbia, S. C. 29211	Attorney for United States: IRS
Attorneys for Respondent	(843) 266-1600
(803) 255-9518	



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US POSTAGE

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

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SC Court of Appeals

