

79168

THE STATE OF SOUTH CAROLINA  
In The South Carolina Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

The Honorable James R. Barber, III

**RECEIVED**

APR 06 2016

Case No. 2015-CP-23-01389  
Court of Appeals No. 2015-002537

**SC Court of Appeals**

Bank of America, N.A.....Respondent,

v.

Theda B. Vaughan a/k/a Theda L. Vaughan; James R. Vaughan; LBB & HHV II, LLC; Hometrust Bank, N.A.; Quality Business Solutions, Inc.; Creative Builders, Incorporated; Matthew J. Bynum; Ann Bynum; Mayfield Dairy Farms, LLC; TD Bank, N.A., as successor by merger with Carolina First Bank; Butler Improvements, LLC; Discover Bank; Suiza Dairy Group, LLC; FIA Card Services, N.A.; Wells Fargo Bank, NA., as successor by merger to Wachovia Bank, National Association; L. Stewart Spinks; Dillanos Coffee Roasters)Inc.; Branch Banking and Trust Company; Spaulding Farm Homeowners Association, Inc.; TCP Leasing, Inc.; First South Bank; Brookfield South Associates, LLC; Green Tree Servicing, LLC formerly known as Green Tree Financial Servicing Corporation, a Limited Liability Company under the laws of the State of Delaware; Bank of Travelers Rest; Comprehensive Legal Solutions, Inc.; The South Carolina Department of Revenue.....Defendants,

Of which LBB & HHVII, LLC is the Appellant.

**RESPONDENT BANK OF AMERICA, N.A.'S MOTION FOR  
AN EXTENSION OF TIME TO FILE AN INITIAL BRIEF  
AND DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL**

Trent M. Grissom  
S.C. Bar No. 77718  
MCGUIREWOODS LLP  
201 North Tryon Street  
Suite 3000  
Charlotte, NC 28202  
Tel: (704) 343-2009  
Fax: (704) 373-8842

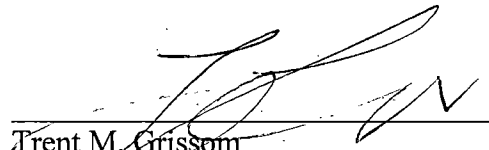
*Attorney for Respondent  
Bank of America, N.A.*

Date: April 5, 2016

Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondent Bank of America, N.A. ("BANA") hereby moves to extend the time to file Respondent's Initial Brief and Designation of Matter to be included in the Record for Appeal. Respondent moves for a thirty (30) day extension of time which makes the documents due on or before May 23, 2016.

The request is made in good faith and not for purpose of delay.

WHEREFORE, Respondent respectfully requests that this Court grant Respondent an extension and to file their initial brief and designate matters to be included in the record on appeal from April 21, 2016 to May 23, 2016.



---

Trent M. Grissom  
S.C. Bar No. 77718  
MCGUIRE WOODS LLP  
201 North Tryon Street  
Suite 3000  
Charlotte, NC 28202  
Tel: (704) 343-2009  
Fax: (704) 373-8842

*Attorney for Respondent  
Bank of America, N.A.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that *Respondent's Motion for Extension of Time to File an Initial Brief and Designation of Matter to be Included in the Record on Appeal* was served on appellant's counsel and other counsel by depositing a copy thereof in the United States Mail, first class, postage prepaid, addressed to:

J. Walt Whitmire, Esquire  
McCabe, Trotter & Beverly, P.C.  
PO Box 212069  
Columbia, SC 29221  
*Counsel for Appellant LBB & HHV II, LLC*

Adam Crittenden Bach, Esquire  
Eller Tonnsen Bach, LLC  
2201 Augusta Street  
Suite 200  
Greenville, SC 29605  
*Counsel for Quality Business Solutions, Inc.*

Dana Covington Mitchell, III, Esquire  
P.O. Box 10285  
Greenville, SC 20963  
*Counsel for Stewart L. Spinks*

Brittany Lauren Kilpatrick, Esquire  
Milton Gary Kimpson, Esquire  
S.C. Department of Revenue  
Office of General Counsel Tax & Regulatory Service  
P.O. Box 12265  
Columbia, SC 29211  
*Counsel for SC Department of Revenue*

Robert Paul Davis  
Rogers Townsend & Thomas  
220 Executive Center Drive Columbia, SC 29210  
*Co-counsel for Bank of America, N.A.*

**RECEIVED**

APR 06 2016

**SC Court of Appeals**

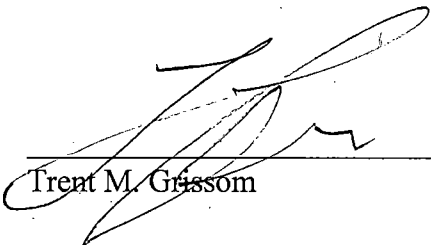
James R. Vaughan  
100 Sanderling Drive  
Greenville, SC 29607 (Regular U.S. Mail Only)  
And  
203 Looper Road  
Pelzer, SC 29669 (Regular U.S. Mail Only)

James H. Cassidy, Esq.  
Roe Cassidy Coates & Price, P.A.  
P.O. Box 10529 Greenville, SC 29603  
*Counsel for Dillanos Coffee Roasters, Inc.*

Theda B. Vaughan a/k/a Theda L. Vaughan  
309 Townes Street  
Greenville, SC 29601

Sean D. Faulker, Esq.  
Nelson Mullins Riley & Scarborough, LLP  
104 S. Main Street  
Suite 900  
Greenville, SC 29601  
*Counsel for Hometruster Bank*

This the 5<sup>th</sup> day of April, 2016.

  
Trent M. Grissom

McGuireWoods LLP  
Fifth Third Center  
201 North Tryon Street  
Suite 3000  
Charlotte, NC 28202  
Tel 704.343.2000  
Fax 704.343.2300  
www.mcguirewoods.com  
Cindy J. West  
Direct: 704.373.4615

McGUIREWOODS

cwest@mcguirewoods.com

April 5, 2016

RECEIVED

APR 06 2016

SC Court of Appeals

**VIA FEDERAL EXPRESS**

Jenny Abbott Kitchings  
Court of Appeals Clerk of Court  
1220 Senate Street  
Columbia, South Carolina 29201

**RE: Bank of America, N.A. v. Theda B. Vaughan, et al.  
Appellate Case No. 2015-002537**

Dear Clerk:

Enclosed for filing are the original and six (6) copies of *Respondent Bank of America, N.A.'s Motion for an Extension of Time to File an Initial Brief and Designation of Matter to be Included in the Record on Appeal*, along with our check in the amount of \$25.00 for the filing fee. Please file the Motion, and return a file-stamped copy to me in the self-addressed, stamped envelope also included.

Thank you for your attention to this matter. If you have any questions, please contact our office.

Sincerely,

McGUIREWOODS LLP



Cindy J. West  
Practice Assistant to Trent M. Grissom

/cjw  
Enclosures

cc: See Certificate of Service (w/encl.)