

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Gordon G. Cooper, Master-in-Equity Judge

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Case No.: 2012-CP-42-3549  
2012-CP-42-2874

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Appellate Case No. 2016-000099

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U.S. Bank, NA, as trustee  
relating to the Chevy Chase  
Funding, LLC Mortgage  
Backed Certificates, Series  
2004-B,

Plaintiff,

v.

Alyce F. Otto, Individually;  
Alyce F. Otto Trustee Under  
Declaration of Trust of Alyce  
F. Otto dated the 17<sup>th</sup> of  
November 2009; TD Bank,  
NA; The United States of  
America, acting by and  
through its agency, the  
Internal Revenue Service;  
Laura Kerhulas Giese, as Co-  
Trustee of the Theodore  
Ernest Kerhulas Trust Under  
Declaration of Trust dated  
May 25, 2004; Mark Warner  
Kerhulas, as Co-Trustee of the  
Theodore Ernest Kerhulas  
Trust Under Declaration of  
Trust dated May 25, 2004;  
Jackson L. Munsey, Jr.;  
Citibank, NA,

Defendants,

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SC Court of Appeals

Of whom Jackson L. Munsey, Jr., is the Appellant.

and

U.S. Bank, NA and Alyce F. Otto are the Respondents.

Alyce F. Otto, Trustee, Plaintiff,

v.

Jackson L. Munsey, Jr., Defendant,

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**REQUEST FOR EXTENSION OF TIME**

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Appellant ("Jackson L. Munsey, Jr."), through his undersigned counsel, would respectfully show unto the Court as follows:


**I.**

The Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal was due to be served and filed on June 6, 2016. We would hereby respectfully request an additional 30 days within which to correctly file and serve the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this matter. Undersigned counsel does not believe this request will result in any prejudice to the Respondent should it be granted.

**II.**

The extension request is not intended for purposes of delay, but rather to ensure that the Appellant's Initial Brief and Designation of Matter is correctly and properly researched, the issues identified, and the Appellant's Brief prepared.

**WHEREFORE**, Appellant prays that the Court grant the Appellant's Motion for Extension of Time to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case for an additional thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.



David R. Price, Jr. (S.C. Bar # 75140)  
Samuel B. Tooker (S.C. Bar # 78999)  
**DAVID R. PRICE, JR., P.A.**  
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Attorneys for the Appellant Jackson L.  
Munsey, Jr.

May 31, 2016

Cc: Erica Greer Lybrand, Esq.  
David L. Walsh, Esq.  
Kenneth C. Anthony, Jr., Esq.  
Sarah Patrick Spruill, Esq.  
George John Conits, Esq.  
William Price Stork, Esq.  
Citibank, NA  
Erin Culbertson, Esq.

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Trust dated May 25, 2004;  
Jackson L. Munsey, Jr.;

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SC Court of Appeals

Citibank, NA,	Defendants,
Of whom Jackson L. Munsey, Jr., is the	Appellant.
and	
U.S. Bank, NA and Alyce F. Otto are the	Respondents.
Alyce F. Otto, Trustee,	Plaintiff,
	v.
Jackson L. Munsey, Jr.,	Defendant,

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**PROOF OF SERVICE**

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I, Samuel Tooker, certify that I have served the Motion for First Extension of Time Within Which to Serve and File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal, by depositing a copy of the same in the United States mail, on the 31st day of May 2016 postage prepaid, addressed to:

Erica Greer Lybrand, Esq.  
220 Executive Center Dr.  
Columbia, SC 29210

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PO Box 5156  
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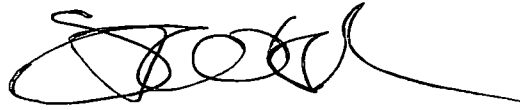
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ATTORNEYS AT LAW

DAVID R. PRICE, JR.

May 31, 2016

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SAMUEL B. TOOKER

JUN 03 2016

SC Court of Appeals

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

RE: U.S. Bank, NA, as trustee relating to the Chevy Chase Funding, LLC  
Mortgage Backed Certificates, Series 2004-B v. Alyce F. Otto, et. al.  
AND  
Alyce F. Otto, Trustee v. Jackson L. Munsey, Jr.  
Of Whom Jackson L. Munsey, Jr., is the Appellant  
C.A. No.: 2012-CP-42-3549  
2012-CP-42-2874

Dear Ms. Kitchings:

The Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above referenced appeal is due to be served and filed on June 6, 2016. However, this is to respectfully request a 30-day extension to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by a heavy workload and is for good cause.

Sincerely,

Sam Tooker

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George John Conits, Esq.  
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Citibank, NA  
Erin Culbertson, Esq.



**DAVID R. PRICE, JR., P.A.**

ATTORNEYS AT LAW

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