

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 17 2016

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Ben N. Miller, III, Special Referee for Richland County

Case No.: 2010-CP-40-01571

Appellate Case No. 2016-00969

CitiMortgage, Inc.,.....Respondent,

v.


Bruce W. Gardner and First Citizens Bank and Trust Company, Inc.,.....Defendants,

Of whom Bruce W. Gardner is the.....Appellant.

MOTION FOR EXTENSION OF TIME

In connection with the above-referenced appeal, Respondent files this Motion for Extension of Time. Respondent requests an extension of thirty (30) days for the deadline to file the Initial Brief of the Respondent. Appellant's initial brief was served on July 18, 2016. The requested extension, if granted, would make Respondent's Initial Brief due on September 16, 2016. This Motion is not being made for purposes of delay. This is the first extension request in this matter. Good cause exists for this Motion because of other work deadlines and duties and because of other outside obligations. Counsel for Respondent has not conferred with Appellant, *pro se*.

RILEY POPE & LANEY, LLC



Peter M. Balthazor, SC Bar No. 68244
2838 Devine Street
Post Office Box 11412 (29211)
Columbia, South Carolina 29205
(803) 799-9993
Attorney for Respondent

August 17, 2016

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PROOF OF SERVICE

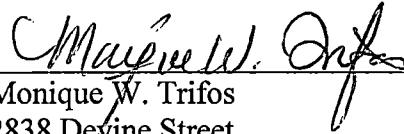
I certify that I have served the Respondent's **MOTION FOR EXTENSION OF TIME** and this proof of service by depositing a copy of the same in the United States Mail, postage prepaid, at the address below:

Bruce W. Gardner
237 YMCA Road
Lexington, SC 29073

And

Bruce W. Gardner
P.O. Box 1531
Lexington, SC 29071

RILEY POPE & LANEY, LLC

A handwritten signature in cursive script, appearing to read "Monique W. Trifos", is written over a horizontal line.

Monique W. Trifos
2838 Devine Street
Post Office Box 11412 (29211)
Columbia, South Carolina 29205
(803) 799-9993

August 17, 2016
Columbia, South Carolina

RILEY POPE & LANEY, LLC
ATTORNEYS AND COUNSELORS AT LAW

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HAND DELIVERED

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: CitiMortgage, Inc. vs. Bruce W. Gardner and First Citizens Bank and Trust Company,
Inc.
Appellate Case No. 2016-00969 (C/A No.: 2010-CP-40-01571)
Our File No. 4088.01014

Dear Ms. Kitchings:

The Initial Brief of Respondent in the above referenced matter is due to be served and filed by August 17, 2016. By this letter and the enclosed Motion, I respectfully request an extension of thirty (30) days. This is the first extension request for the initial brief, and it is not intended for the purpose of delay. Also enclosed is our \$25.00 check for the motion filing fee.

I appreciate your consideration of this request and ask that you hold the filing time in abeyance during the time in which this request is pending. Please call me if you have any questions concerning this correspondence or any other matter.

Thank you for your kind assistance in this matter.

Sincerely,



Peter M. Balthazor

PMB/mwt

Enclosures

cc: Bruce W. Gardner (w/enclosure)

✓