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THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

C. Heath Ruffner, Special Referee

C.A. No. 2010-CP-13-0164

RECEIVED

OCT 17 2016

SC Court of Appeals

AMERICAN COMMUNITY BANK,
a division of Yadkin Valley Bank & Trust, Respondent,

vs.

MICHAEL R. BROWN; C. W. HORNE;
SHORTT AUCTION & REALTY CO., INC.;
BANK OF AMERICA, N.A.; and
JAGUAR PORTFOLIO, LLC, Defendants,

of whom MICHAEL R. BROWN is Appellant.

MOTION FOR EXTENSION OF TIME,
or TO FILE OUTSIDE TIME

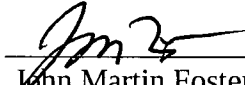
Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by his counsel herein, moves this Court for an order granting him an extension of time, or the right to file outside time, as to his Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:

1. The Transcript of Record has been requested and received, according to the records of counsel for Appellants' office. By counsel's calendar, the Initial Brief and Designation of Matter are due as of this date.
2. Counsel for Appellant has been prevented from completing the said Brief and Designation of Matter by reason of Court appearances and the press of business in his office.
3. To this end, counsel for Appellant requests an extension of time for a period of thirty (30) days, in which to complete these items.

The basis of this Motion is the within-cited Rules, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court to be allowed an extension of time to file, or the right to file outside time, his initial Brief and Designation of Matter to be included in the Record on Appeal, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

October 13, 2016



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

Other Counsel of Record:

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

C. Heath Ruffner, Special Referee

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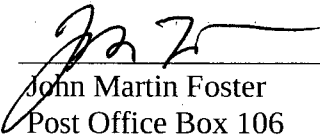
PROOF OF SERVICE

I certify that I have served the Motion for Extension dated October 13, 2016, on the following counsel or persons of record:

cc: James W. Sheedy
Susan E. Driscoll
Driscoll Sheedy, P.A.
Attorneys for American Community Bank
11520 North Community House Road, Suite 200
Charlotte, North Carolina 28277

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, S.C.A.C.R.

October 13, 2016


John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Appellant

JOHN MARTIN FOSTER

Attorney at law

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfooster@comporium.net

October 13, 2016

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

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OCT 17 2016

SC Court of Appeals

Re: American Community Bank, Respondent
v. Michael R. Brown, Appellant
Appellate Case No. 2016-001838

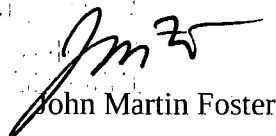
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Appellant's Motion for Extension or to File Outside Time, together with the Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondents with copies of the said Motion, as evidenced by the Certificate of Service.

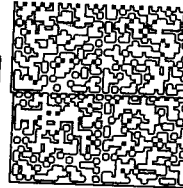
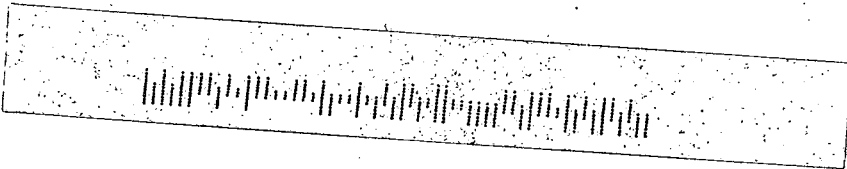
Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,


John Martin Foster

jmf/
enclosures

cc: James W. Sheedy
Susan E. Driscoll
Driscoll Sheedy, P.A.
Attorneys for American Community Bank
11520 North Community House Road, Suite 200
Charlotte, North Carolina 28277



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OCT 17 2016

SC Court of Appeals

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 South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211