

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM JASPER COUNTY

Darrell Thomas Johnson, Jr., Special Referee

Appellate Case No. 2015-002049  
Civil Action No. 2013-CP-27-00253

**RECEIVED**  
SEP 28 2016  
SC Court of Appeals

Bank of Walterboro,..... Plaintiff,

v.

Charles E. Bush aka Charles Bush, Rosemelle M. Shuler, First  
Family Financial Services of Georgia, Inc., EquiFirst Corporation,  
Mortgage Electronic Registration Systems, Inc. as nominee for BNC  
Mortgage Inc., and South Carolina Department of Revenue, ..... Defendants,

Of which Mortgage Electronic Registration Systems, Inc., as nominee for BNC Mortgage Inc., is the  
Appellant,

and

Bank of Walterboro and Rosemelle M. Shuler are the Respondents.

**APPELLANT'S MOTION TO SERVE AND FILE  
FINAL BRIEF OF APPELLANT OUT OF TIME**

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*Attorneys for Appellant*

**NOW COMES** Appellant Mortgage Electronic Registration Systems, Inc., as nominee for BNC Mortgage Inc., who, by and through its undersigned counsel, respectfully moves before the Court for an extension of time in which to serve the *Final Brief of Appellant* upon the Respondents and file the same and the accompanying *Proof of Service* with the Court. The *Final Brief of Appellant* was due to be served on opposing counsel, and an original *Proof of Service* filed with the Court, on or before September 19, 2016. Appellant moves for the due date to be extended to Monday, September 26, 2016. The reason for the failure to timely serve and file the *Final Brief of Appellant* and accompanying *Proof of Service* was an oversight and a calendaring error as to what was required to be filed on what date. Appellant respectfully submits that Respondents Bank of Walterboro and Rosemelle M. Shuler would not be prejudiced by the Court's granting this motion.

Respectfully submitted,



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September ~~19~~ 26, 2016

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IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Of which Mortgage Electronic Registration Systems, Inc., as nominee for BNC Mortgage Inc., is the  
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and

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**PROOF OF SERVICE**

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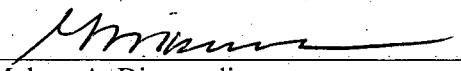
*Bank of Walterboro v. Charles E. Bush, et al.*  
Case No. 2013-CP-27-00253  
Appellate Case No. 2015-002049  
PROOF OF SERVICE

The undersigned hereby certifies that on this, the 26<sup>th</sup> day of September 2016, she did cause to be served a true copy of Appellant's *Motion to Serve Final Brief of Appellant Out of Time and Final Brief of Appellant* on the below listed opposing counsel by depositing copies of the same with the United States Postal Service, sufficient first class postage affixed thereto, and addressed as follows:

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REPLY TO:  
CHARLESTON LITIGATION

September 26, 2016

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

Re: *Bank of Walterboro v. Charles E. Bush et al*  
*Appellate Case No. 2015-002049*  
*Case No.: 2013-CP-27-00253*  
*Our File No.: 52310.49481*

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SEP 28 2016

SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing, please find the following documents:

- (1) *Appellant's Motion to Serve and File Final Brief of Appellant Out of Time*;
- (2) *Final Brief of Appellant*; and
- (3) *Proof of Service*.

I have included the originals and one copy of each of *Appellant's Motion to Serve and File Final Brief of Appellant Out of Time* and the *Proof of Service*. At your convenience, please have the originals filed and return the file stamped copy to our office using the enclosed self-addressed envelope.

Regarding the *Final Brief of Appellant*, please find enclosed the unbound original and fourteen (14) bound copies. A bound copy of the same has been served on all interested parties in accordance with the SC Appellate Court Rules, and as indicated on the *Proof of Service*.

If you have any questions or concerns, please contact me at your convenience.

With warmest regards, I am

Yours very truly,



Malena A. Dinwoodie  
Litigation Paralegal

/mad

cc: George W. Cone, Esq.  
Kathleen C. Barnes, Esq.  
R. Thayer Rivers, Jr., Esq.

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The Honorable Jenny Abbott Kitchings  
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SC Court of Appeals

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