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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Master in Equity

Appellate Case No. 2016-001344

YADKIN BANK,

v.

J.W. NEAL CONSTRUCTION, LLC,
JOSHUA WILFRED NEAL and
THE WALKERS RIDGE
HOMEOWNERS ASSOCIATION, INC.,

of whom:

J.W. NEAL CONSTRUCTION, LLC and
JOSHUA WILFRED NEAL
are the

Respondent, RECEIVED

OCT 24 2016

SC Court of Appeals

Appellants.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellants, by their counsel herein, move this Court for an order granting them an extension of time in which to submit their Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:

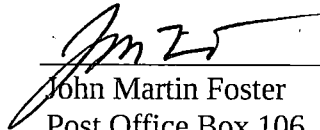
1. Counsel for the Appellants received the Transcript of Hearing herein on September 21st, 2016. It is his understanding that his Initial Brief and Designation of Matter are due as of this date.

2. Counsel for the Appellants is also in receipt of the letter from the Clerk of this Court dated October 12th, 2016 requiring an explanation of the status of the said Transcript. It is the intention of this Motion to set out that explanation.
3. Because of the press of business in the office of the Appellants' attorney, including Court hearings, he has been unable to meet the present deadline for the Appellant's Initial Brief and Designation of Matter.
4. On the basis of the facts set out above, the Appellants, by their counsel, request an additional thirty (30) days to prepare, file and serve the documents referenced above.
5. On knowledge and information, counsel for Appellants does not believe any damage will be caused to the Respondent, nor will any undue prejudice be caused by the said delay.

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 Appellants herein move this Court for an extension of time in which to submit their Initial Brief and Designation of Matter to be included in the Record on Appeal, as set out above, pursuant to Rules 240 and 263(b), S.C.A.C.R.

October 21, 2016



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

Other Counsel of Record:

Elizabeth Wright
Wright Worley Pope Ekster & Moss, PLLC
310 N. Front Street, Suite 4-147
Wilmington, NC 28401

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Master in Equity

Appellate Case No. 2016-001344

YADKIN BANK,

Respondent,

v.

J.W. NEAL CONSTRUCTION, LLC,
JOSHUA WILFRED NEAL and
THE WALKERS RIDGE
HOMEOWNERS ASSOCIATION, INC.,

of whom:

J.W. NEAL CONSTRUCTION, LLC and
JOSHUA WILFRED NEAL
are the

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Appellants.

PROOF OF SERVICE

I certify that I have served the **Motion for Extension of Time**, dated October 21, 2016, on the following counsel or persons of record:

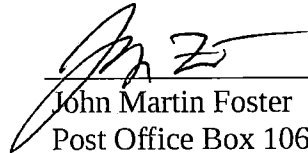
Elizabeth Wright
Wright Worley Pope Ekster & Moss, PLLC
310 N. Front Street, Suite 4-147
Wilmington, NC 28401

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 below; or

by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving

it in a conspicuous place therein; of if the office was closed or the person to be served has no office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 233(b), S.C.A.C.R.

October 21, 2016



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

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	jmfoster@comporium.net

October 21, 2016

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

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SC Court of Appeals

Re: Yadkin Bank, Respondent
v. J.W. Neal Construction, LLC, Joshua Wilfred Neal and The Walkers Ridge
Homeowners Association, Inc.,
of whom J.W. Neal Construction, LLC and Joshua Wilfred Neal
are the Appellants
Appellate Case No.: 2016-001344

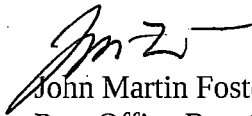
Dear Ms. Kitchings:

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 Appellants' Motion for Extension, 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 Respondent 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,




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

jmf/
enclosures

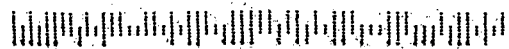
cc: Elizabeth Wright
Wright Worley Pope Ekster & Moss, PLLC
310 N. Front Street, Suite 4-147
Wilmington, NC 28401
Attorneys for Respondent
(910) 200-2677



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US POSTAGE



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 COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, S.C. 29211

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OCT 24 2016

SC Court of Appeals