

81930

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell r. Scarborough, Master In Equity

Appellate Case No. 2016-001054

**RECEIVED**

DEC 19 2016

SC Court of Appeals

HSBC Bank USA, National Association, as Trustee for  
the Holders of the Deutsche ALT-A Securities, Inc.  
Mortgage Loan Trust, Mortgage Pass-Through  
Certificates Series 2007-OA4, assignee of Bank of  
America, N.A., successor by merger to BAC Home  
Loans Servicing, L.P., f/k/a Countrywider Home Loans  
Servicing, Inc., ..... Appellant,

v.

Clifford L. Ryba; Beverly Ryba; Regions Bank;  
First Federal Savings and Loan Associatin;  
Citibank (South Dakota) N.A., and Carol Garfield  
Goldberg, ..... Defendants,

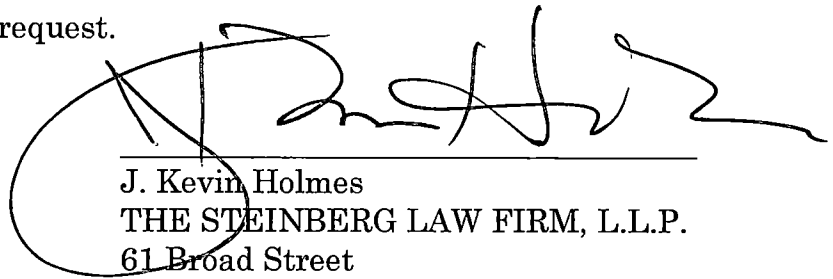
Of whom Carol Garfield Goldberg is the, ..... Respondent.

MOTION FOR EXTENSION OF TIME TO FILE THE  
RESPONDENT'S INITIAL BRIEF

The Respondent, Carol Garfield Goldberg, by her undersigned attorney,  
respectfully moves for a thirty (30) day extension of time to file her Initial Brief and  
Designation of Matter in the above captioned appeal pursuant to Rule 240, SCACR.  
This request is made due to the undersigned counsel's other work conflicts,

✓

scheduling deadlines, other court appearances and the Holiday season. The Respondent received a copy of the Appellant's Initial Brief and Designation on November 16, 2016. The Respondent has not previously requested an extension and counsel for the Appellant has no objection. Counsel for Respondent requests that this Court enter an Order extending the deadline for the Initial Brief and Designation of Matter until January 15, 2017 and that the current deadline be held in abeyance while the Court considers this request.

A handwritten signature in black ink, appearing to read "J. Kevin Holmes", is written over a horizontal line. The signature is stylized and somewhat cursive.

J. Kevin Holmes  
THE STEINBERG LAW FIRM, L.L.P.  
61 Broad Street  
Post Office Box 9  
Charleston, South Carolina 29402  
(843) 720-2800  
Attorney for the Respondent

Charleston, South Carolina

December 15, 2016.

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell r. Scarborough, Master In Equity

---

Appellate Case No. 2016-001054

---

**RECEIVED**

DEC 19 2016

**SC Court of Appeals**

HSBC Bank USA, National Association, as Trustee for  
the Holders of the Deutsche ALT-A Securities, Inc.  
Mortgage Loan Trust, Mortgage Pass-Through  
Certificates Series 2007-OA4, assignee of Bank of  
America, N.A., successor by merger to BAC Home  
Loans Servicing, L.P., f/k/a Countrywider Home Loans  
Servicing, Inc., ..... Appellant,

v.

Clifford L. Ryba; Beverly Ryba; Regions Bank;  
First Federal Savings and Loan Associatin;  
Citibank (South Dakota) N.A., and Carol Garfield  
Goldberg, ..... Defendants,

Of whom Carol Garfield Goldberg is the, ..... Respondent.

---

PROOF OF SERVICE

---

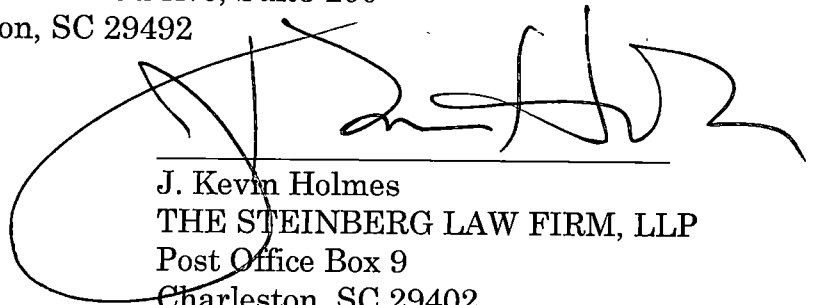
I, J. Kevin Holmes, attorney for the Respondent, hereby certify that I served  
all counsel listed below by fax and U.S. Mail, postage prepaid, with a copy of this  
Motion for an Extension to the following addresses:

Michael J. Anzelmo, Esquire  
Nelson Mullins Ruiley & Scarborough, L.L.P.  
1320 Main Street, 17<sup>th</sup> Floor  
Columbia, SC 29201

Erica G. Lybrand, Esquire  
Rogers Townsend & Thomas, P.C.  
Post Office Box 100200  
Columbia, SC 29202

B. Lindsay Crawford, III, Esquire  
Crawford & von Keller, LLC  
Post Office Box 4216  
Columbia, SC 29240

Nicholas R. Sanders, Esquire  
Clawson & Staubes, LLC  
126 Seven Farms Drive, Suite 300  
Charleston, SC 29492



J. Kevin Holmes  
THE STEINBERG LAW FIRM, LLP  
Post Office Box 9  
Charleston, SC 29402

(843) 720-2800

Charleston, South Carolina

December 15, 2016

DAVID T. PEARLMAN  
J. KEVIN HOLMES  
THOMAS M. WHITE  
MALCOLM M. CROSLAND, JR.  
STEVEN E. GOLDBERG  
MICHAEL J. JORDAN  
BENJAMIN W. AKERY



**STEINBERG**  
LAW FIRM | LLP

CATHERINE D. MEEHAN  
KELLY M. ALFREDS  
CHARLES S. GOLDBERG, LLC,  
OF COUNSEL  
HUGO M. SPITZ (RETIRED)  
IRVING STEINBERG (1902-1980)

61 Broad Street | P.O. Box 9 | Charleston | SC | 29401 | (843) 720-2800 | (843) 722-1190 fax | steinberglawfirm.com

December 16, 2016

Via fax @ (803) 734-1839 and U.S. Mail

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, S.C. 29201

**RECEIVED**

DEC 19 2016

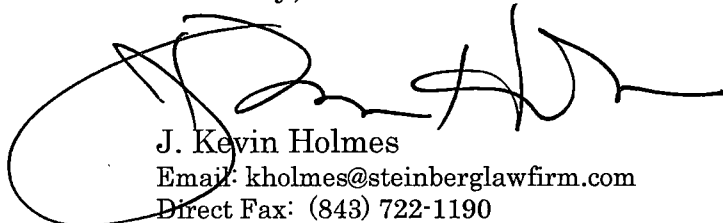
**SC Court of Appeals**

Re: HSBC Bank of USA, et al. v. Clifford L. Ryba, et al.  
Appellate Case No.: 2016-001054

Dear Ms. Kitchings:

Enclosed for filing please find the original and six (6) copies of the Respondent's Motion for an Extension of Time. Also enclosed please find the filing fee in the amount of \$25.00. By fax and copy of this letter we are serving all counsel with a copy of the Motion.

Sincerely,



J. Kevin Holmes  
Email: [kholmes@steinberglawfirm.com](mailto:kholmes@steinberglawfirm.com)  
Direct Fax: (843) 722-1190

JKH /jkh  
Enclosures

cc: Michael J. Anzelmo, Esquire ([michael.anzelmo@nelsonmullins.com](mailto:michael.anzelmo@nelsonmullins.com))  
Erica G. Lybrand, Esquire ([erica.lybrand@rtt-law.com](mailto:erica.lybrand@rtt-law.com))  
B. Lindsay Crawford, III, Esquire ([lindsay@crowfordvk.com](mailto:lindsay@crowfordvk.com))  
Nicholas R. Sanders, Esquire ([nsanders@clawsonandstaubes.com](mailto:nsanders@clawsonandstaubes.com))

earthsmart

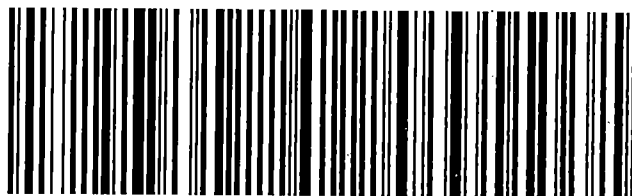
FedEx carbon-neutral envelope shipping

FedEx TRACKING 0215 8065 9543 4356

MON - 19 DEC 10:30A PRIORITY OVERNIGHT

29201 SC-US CAE

XH USCA



FID 5178028 16DEC16 CHSA 539C1/D42F/8EBA

FedEx Package Express US Airbill

FedEx Tracking Number 8065 9543 4356

Form ID No. 0215

Recipient's Copy

12-16-16

Sender's Name J. Kevin Holmes

Phone 803 734-1890

RECEIVED

Company THE STEINBERG LAW FIRM LLP

DEC 19 2016

Address 61 BROAD ST

SC Court of Appeals

City CHARLESTON

State SC ZIP 29401-2902

Internal Billing Reference

20126004

Recipient's Name Honorable

Jerry Abbott Kitchings

Phone 803 734-1890

Company The SC Court of Appeals

Address 1320 Venetian Ct.

Dept./Floor/Suite/Room

HOLD Weekday FedEx location address REQUIRED. NOT available for FedEx First Overnight.

HOLD Saturday FedEx location address REQUIRED. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

City Columbia

State SC ZIP 29201

0117044197



8065 9543 4356

4 Express Package Service

\*To most locations.

NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs. For packages over 150 lbs., use the FedEx Express Freight US Airbill.

Next Business Day

FedEx First Overnight Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

[X] FedEx Priority Overnight Next business morning. \* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

[ ] FedEx Standard Overnight. \* Next business afternoon. \* Saturday delivery NOT available.

2 or 3 Business Days

[ ] FedEx 2Day A.M. Second business morning. \* Saturday Delivery NOT available.

[ ] FedEx 2Day Second business afternoon. \* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

[ ] FedEx Express Saver Third business day. \* Saturday Delivery NOT available.

5 Packaging

\*Declared value limit \$500.

[X] FedEx Envelope\* [ ] FedEx Pak\* [ ] FedEx Box [ ] FedEx Tube [ ] Other

6 Special Handling and Delivery Signature Options

[ ] SATURDAY Delivery NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

[ ] No Signature Required Package may be left without obtaining a signature for delivery.

[ ] Direct Signature Someone at recipient's address may sign for delivery. Fee applies.

[ ] Indirect Signature If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. Fee applies.

Does this shipment contain dangerous goods?

One box must be checked.

[X] No [ ] Yes As per attached Shipper's Declaration. [ ] Yes Shipper's Declaration not required.

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.

[ ] Dry Ice Dry Ice, 9, UN 1845 x kg.

[ ] Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

Obtain recip. Acct. No. [ ]

[X] Sender Acct. No. in Section 1 will be billed. [ ] Recipient [ ] Third Party [ ] Credit Card [ ] Cash/Check

Total Packages Total Weight

Credit Card Auth.

Your liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.

117

Rev. Date 2/12 • Part #163134 • ©1994-2012 FedEx • PRINTED IN U.S.A. SRS

4356 12:17

10:30

RT 103 B20

4356 12:19

10:30

RT 103 B20

FedEx.com 1.800.Go.FedEx 1.800.463.3339