

82087

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JAN 04 2017

APPEAL FROM YORK COUNTY
Court of Common Pleas

SC Court of Appeals

Honorable S. Jackson Kimball III, Master in Equity

Case No. 2014-CP-46-02394

Appellate Case No. 2015-002253

Nationstar Mortgage, LLC.....Respondent

v.

Norman D. Lowery.....Appellant

**RESPONDENT NATIONSTAR MORTGAGE LLC'S MOTION TO FILE
OUT OF TIME DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

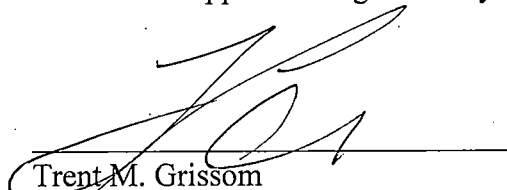
Trent M. Grissom
S.C. Bar No. 77718
MCGUIREWOODS LLP
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel: (704) 343-2000
Fax: (704) 444-8738
*Attorney for Respondent Nationstar
Mortgage LLC*

Date: January 3, 2017

Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondent Nationstar Mortgage LLC (“Nationstar”), hereby moves to file out of time Respondent’s Designation of Matter to be included in the Record for Appeal (the “Designation”). The Designation was due to be filed with the Court on December 8, 2016. Respondent moved the Court to strike Appellee’s initial Brief, which was denied on December 22, 2016. Thus, Respondent will proceed to designate matters to be included in the record on appeal and is filing the Designation simultaneously with this Motion, on January 3, 2017. Finally, Appellant has included all of the materials in Respondent’s Designation of Matter in his Designation of Matter. However, in an abundance of caution, Respondent presents its own Designation of Matter to be included in the Record for Appeal.

The request is made in good faith and not for purpose of delay.

WHEREFORE, Respondent respectfully requests that this Court grant Respondent permission to designate matters to be included in the record on appeal through January 3, 2017.



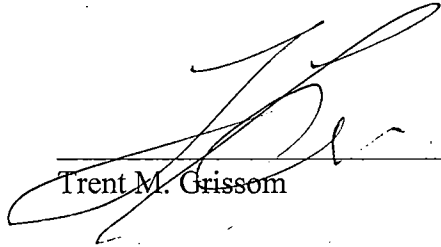
Trent M. Grissom
S.C. Bar No. 77718
MCGUIREWOODS LLP
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel: (704) 343-2162
Fax: (704) 444-8819
*Attorney for Respondent Nationstar
Mortgage LLC*

CERTIFICATE OF SERVICE

The undersigned certifies that *Respondent's Motion to File Designation of Matter to be Included in the Record on Appeal* was served on Pro Se Appellant and other counsel by depositing a copy thereof in the United States Mail, first class, postage prepaid, addressed to:

Norman D. Lowery
309 Scoggins Street
Rock Hill, SC 29730

Andrew Montgomery, Esquire
Rogers, Townsend, & Thomas
220 Executive Center Drive
Columbia, SC 29202



Trent M. Grissom

RECEIVED

JAN 04 2017

SC Court of Appeals

McGuireWoods LLP
Fifth Third Center
201 North Tryon Street
Suite 3000
Charlotte, NC 28202
Tel 704.343.2000
Fax 704.343.2300
www.mcguirewoods.com

Cindy J. Smith
Direct: 704.373.4615

McGUIREWOODS

csmith@mcguirewoods.com

January 3, 2017

VIA FEDERAL EXPRESS
TRACKING #7851 9926 7002

Jenny Abbott Kitchings
Court of Appeals Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED

JAN 04 2017

SC Court of Appeals

RE: Nationstar Mortgage, LLC v. Norman D. Lowery
Appellate Case No. 2015-002253

Dear Clerk:

Enclosed for filing are the original and six (6) copies of *Respondent Nationstar Mortgage, LLC's Motion to File Out of time Designation of Matter to be Included in the Record on Appeal*, along with *Respondent's Designation of Matter to be Included in the Record on Appeal*, and our check in the amount of \$25.00 for the filing fee. Please file the documents, and return a file-stamped copy to me in the self-addressed, stamped envelope also included.

Thank you for your attention to this matter. If you have any questions, please contact our office.

Sincerely,

McGUIREWOODS LLP



Cindy J. Smith
Practice Assistant to Trent M. Grissom

/cjs
Enclosures

cc: Norman D. Lowery, Pro Se (w/encl.)
Andrew Montgomery (w/encl.)

ORIGIN ID: QWGA (703) 343-2000
TRENT M. GRISSOM
MCGUIREWOODS LLP
201 NORTH TRYON ST
SUITE 3000
CHARLOTTE, NC 28202
UNITED STATES US

SHIP DATE: 03JAN17
ACTWGT: 0.50 LB
CAD: 103720227/WSX12750

BILL SENDER

TO JENNY ABBOTT KITCHINGS
COURT OF APPEALS CLERK OF COURT
1220 SENATE ST

COLUMBIA SC 29201

(704) 373-4615

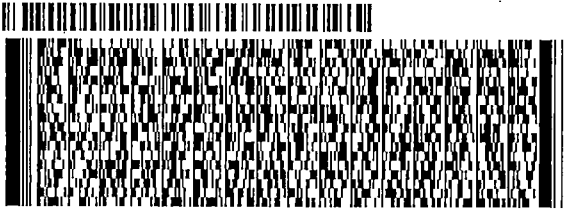
REF: 2068964-0356

INV:

PO:

DEPT:

544J1169714E8



FedEx Express



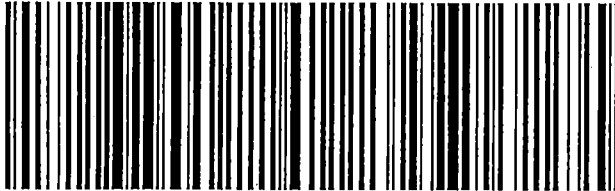
J162016101201W

WED - 04 JAN 10:30A
PRIORITY OVERNIGHT

TRK# 7851 9926 7002
0201

XH USCA

29201
SC-US CAE



RECEIVED

JAN 04 2017

SC Court of Appeals