

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Markley Dennis, Jr., Circuit Court Judge

Case No. 2012-CP-08-2618
Case No. 2012-CP-08-3478

Appellate Case No. 2016-002192

RECEIVED

FEB 24 2017

SC Court of Appeals

Bank of North Carolina, Respondent,

v.

Anthony M. Whitfield and Cindy Whitfield, Defendants

Of whom Anthony Whitfield is the Appellant and Cindy Whitfield is a Respondent.

Anthony Whitfield, Appellant,

v.

David Swanson, Respondent.

REQUEST FOR AN EXTENSION OF TIME

NOW COMES the Appellant, Anthony Whitfield, by and through his undersigned counsel, and pursuant to Rule 263(b), of the South Carolina Appellate Court Rules (SCAR), respectfully hereby moves this Honorable Court for an extension of time to serve and file his Initial Brief and Designation of Matter to included in the record on appeal.

On February 8, 2017, the Appellants received the trial transcript, making the service and

filing of the Appellant's Initial Brief and Designation of Matter due on or before Tuesday, March 8, 2017, pursuant to Rule 208(a)(1), SCAR. The Appellant respectfully requests an additional thirty (30) days to serve his Initial Brief and Designation of Matter, with the extended date for service and filing being April 8, 2017.

WHEREFORE, the Appellant respectfully requests this Honorable Court grant his Motion for Extension of Time to serve and file his Initial Brief and Designation of Matter not later than April 8, 2017.

Respectfully submitted this 24th day of February, 2017.

By:



Andrew J. McCumber, Esquire
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401
(843) 577-6531

ATTORNEY FOR APPELLANT

THE STATE OF SOUTH CAROLINA
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PROOF OF SERVICE

I certify that I have served the **Request for Extension of Time** upon the Respondents Bank of North Carolina, Cindy Whitfield, and David Swanson by depositing a copy of same in the United States Mail, postage prepaid, on February 24, 2017, addressed to their attorney of record, as follows:

David W. Overstreet, Esquire
Earhart Overstreet, LLC
Post Office Box No. 22528
Charleston, South Carolina 29413
(843) 972-9400

ATTORNEY FOR RESPONDENT DAVID SWANSON

Brian C. Duffy, Esquire
Thomas A. Limehouse, Jr., Esquire
Duffy & Young, LLC
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Charleston, South Carolina 29401
(843) 720-2044

ATTORNEYS FOR RESPONDENT BANK OF NORTH CAROLINA

Paul B. Ferrara, III, Esquire
Ferrara Law Firm, PLLC
2300 Otranto Road
N. Charleston, South Carolina 29406
(843) 559-5511

ATTORNEY FOR RESPONDENT CINDY WHITFIELD

Respectfully submitted this 24th day of February, 2017.

By: 

Andrew J. McCumber, Esquire
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44 State Street
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ATTORNEY FOR APPELLANT

SLOTCHIVER & SLOTCHIVER, L.L.P.

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February 24, 2017

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SC Court of Appeals

VIA REGULAR MAIL:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

RE: Bank of North Carolina v. Anthony M. Whitfield

Appellate Case No.: 2016-002192

Case Nos.: 2012-CP-08-3478; 2012-CP-08-2618

Dear Ms. Kitchings:

Enclosed you will please find one (1) copy of a Request for Extension of Time in which to file initial briefs, along with a check for Twenty Five (\$25.00) from my firm's escrow account for the filing fees associated with same.

Please note that I have copied all counsel of record to this correspondence pursuant the South Carolina Appellate Rules.

I thank you in advance for your time and attention to this matter, and please do not hesitate to let me know if the Court requires anything further from us in this regard.

Sincerely,

s/Andrew McCumber
Andrew J. McCumber
Attorney for the Appellant

AJM/ssh

Enclosure(s) as stated.

- cc: David W. Overstreet, Esquire *(via regular mail)*
- Brian C. Duffy, Esquire *(via regular mail)*
- Thomas A. Limehouse, Jr., Esquire *(via regular mail)*
- Paul B. Ferrara, III, Esquire *(via regular mail)*
- Brent Halversen, Esquire *(via email)*
- Daniel S. Slotchiver, Esquire *(via email)*
- Court Administration *(via regular mail)*

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FAX COVER SHEET

DATE: 02/24/2017
TO: Hon. Jenny Kitchens
FROM: Andrew McCumber
RE: Appellate Cas # 2016-002193
PAGES: 6 (INCLUDING COVER SHEET)

FAX NO: 803-734-1839

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SC Court of Appeals

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