

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2014-CP-18-0358  
Case No. 2014-CP-18-1792  
Case No. 2014-CP-18-1793

Appellate Case No. 2016-002193

**RECEIVED**  
FEB 27 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 December 27, 2016, 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 Friday, January 27, 2017, pursuant to Rule 208(a)(1), SCAR. The Appellant requested an additional thirty (30) days to serve his Initial Brief and Designation of Matter, which was granted by this Court on January 6, 2017, with the extended date for service and filing being February 27, 2017.

On February 8, 2017, the Appellants received the trial transcript in the companion case on this matter (Appellate Case No. 2016-002792), 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 March 27, 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 March 27, 2017.

Respectfully submitted this 24<sup>th</sup> 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  
In The Court of Appeals

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PROOF OF SERVICE

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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

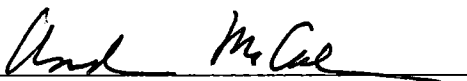
**Brian C. Duffy, Esquire**  
**Thomas A. Limehouse, Jr., Esquire**  
Duffy & Young, LLC  
96 Broad Street  
Charleston, South Carolina 29401  
(843) 720-2044

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 24<sup>th</sup> day of February, 2017.

By:   
**Andrew J. McCumber, Esquire**  
Slotchiver & Slotchiver, LLP  
44 State Street  
Charleston, South Carolina 29401  
(843) 577-0261

ATTORNEY FOR APPELLANT

SLOTCHIVER & SLOTCHIVER, L.L.P.

ATTORNEYS AT LAW

EST. 1959

IRVIN J. SLOTCHIVER  
DANIEL S. SLOTCHIVER  
STEPHEN M. SLOTCHIVER  
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44 STATE STREET  
CHARLESTON, SC 29401-2810  
TELEPHONE (843) 577-6531  
FACSIMILE (843) 577-0261

February 24, 2017

**VIA REGULAR MAIL:**

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

RECEIVED

FEB 27 2017

SC Court of Appeals

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

*Appellate Case No.:* 2016-002193

*Case Nos.:* 2014-CP-18-0358; 2014-CP-18-1792; 2014-CP-18-1793

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.

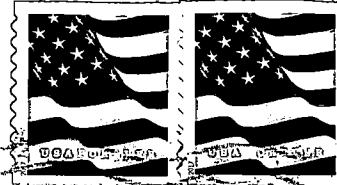
Sincerely,

*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*)

SLOTCHIVER & SLOTCHIVER, LLP  
ATTORNEYS AT LAW  
44 STATE STREET  
CHARLESTON, SC 29401



CHARLESTON, SC 29401

FRI 24 FEB 2017 PM

THE HON. JENNY ABBOT KITCHINGS  
CLERK, S.C. COURT OF APPEALS  
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**SC Court of Appeals**