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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA**  
**In the Court of Appeals**

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity

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Case No. 2015-CP-07-1340

Appellate Case No. 2016-001616

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Alan F. McNeal and Adrienne McNeal,

Appellants,

v.

Ocwen Loan Servicing, LLC, and Nationstar Mortgage, LLC, of whom Ocwen Loan Servicing,  
LLC is the

Respondent.


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**RESPONDENT, OCWEN LOAN SERVICING, LLC'S MOTION  
FOR EXTENSION OF TIME TO FILE INITIAL BRIEF**

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BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC  
200 South Orange Avenue  
PO Box 1549  
Orlando, FL 32802-1549  
Telephone: (407) 422-6600  
Facsimile: (407) 841-0325  
Attorney for Respondent, Ocwen  
*mwsmith@bakerdonelson.com*  
*wirvin@bakerdonelson.com*  
*OLS-eService@bakerdonelson.com*

By: /s/ Michael W. Smith  
Michael W. Smith, Esq.  
S.C. Bar No.: 71184



COMES NOW RESPONDENT, Ocwen Loan Servicing, LLC ("Respondent" or "Ocwen"), by and through its undersigned counsel, and hereby moves this Court for an extension of time to file the Initial Brief of Respondent, and in support thereof states as follows:

1. Appellants filed their Initial Brief on or about August 26, 2016.
2. Respondent's Initial Brief was due on December 28, 2016, pursuant to this Court's Order granting Respondent's Third Motion for Extension of Time to File Initial Brief.
3. Counsel for Respondent prepared the Initial Brief within the time period set by the court. However, due to internal miscommunication, the Initial Brief was not filed. This omission was discovered on February 28, 2017.
4. Respondent requests an order granting an extension of time to file the Initial Brief, which is being filed concurrently with this motion.
5. No party will be prejudiced by the court granting this additional time. Appellants counsel was recently discharged by order of this Court and the action was stayed to allow Appellants time to obtain new counsel.
6. The undersigned counsel represents that this Motion is being filed in good faith and not for the purpose of delay.

WHEREFORE, Respondent, Ocwen, respectfully requests that this Honorable Court enter an Order granting Respondent an extension of time in which to file the Initial Brief, and any other relief this Court deems just and proper.

Respectfully submitted this 28 day of February, 2017.

/s/ Michael W. Smith  
Michael W. Smith, Esquire

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a true copy of the Respondent's Motion for Extension of Time to File Initial Brief in the above-referenced case has been served by U.S. Mail, postage-paid, on the 28th day of February , 2017, to the following:

Alan McNeal  
Adrienne Mcneal  
44 Thomas Sumer St  
Beaufort, SC 29907

/s/ Michael W. Smith  
Michael W. Smith, Esquire

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**BAKER DONELSON**  
BEARMAN, CALDWELL & BERKOWITZ, PC

Michael W. Smith  
Direct Phone: 407-367-5437  
E-Mail: [mwsmith@bakerdonelson.com](mailto:mwsmith@bakerdonelson.com)

200 SOUTH ORANGE AVENUE  
SUITE 2900

POST OFFICE BOX 1549  
ORLANDO, FLORIDA 32802

PHONE: 407.422.6600  
FAX: 407.841.0325

[www.bakerdonelson.com](http://www.bakerdonelson.com)

February 28, 2017

**VIA FEDERAL EXPRESS**

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South Carolina Court of Appeals  
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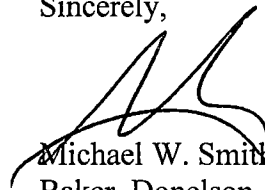
Re: *Alan F. McNeal and Adrienne McNeal v. Ocwen Loan Servicing, LLC, and  
Nationstar Mortgage, LLC*  
*Case No. 2015-CP-07-1340*  
*Appeals Case No. 2016-001616*

Dear Clerk:

Enclosed please find Respondent, Ocwen Loan Servicing, LLC's Motion for Extension of Time to File Initial Brief, Answer Brief of Respondent and check number 003250 in the amount of \$25.00 which represents your filing fee in regards to the above-captioned case. Please file the Motion & Answer with your court and mail a date-stamped copy back to me in the enclosed self-addressed stamped envelope provided for your convenience.

Thank you for your assistance in this regard.

Sincerely,



Michael W. Smith  
Baker, Donelson, Bearman,  
Caldwell & Berkowitz, PC

MWS/wi

Enclosures

cc: Sean A. O'Connor, Esq., (via U.S. Mail)  
Trent M. Grissom, Esq., (via U.S. Mail)

ORIGIN ID:ORLA (407) 422-6600  
WANDA IRVIN  
BAKER DONELSON  
200 S. ORANGE AVE.  
STE 2900  
ORLANDO, FL 32801  
UNITED STATES US

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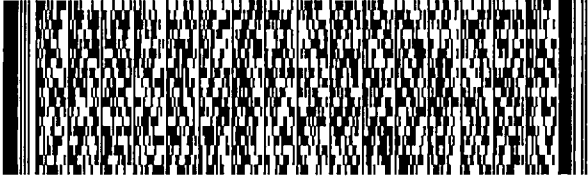
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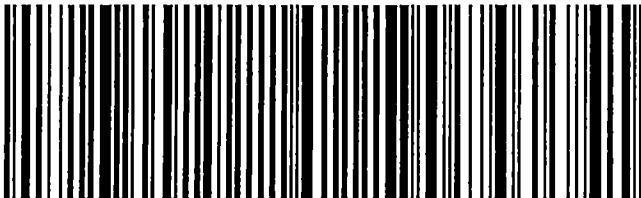
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