

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APR 04 2017

SC Court of Appeals

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

William C. Tindal, Special Referee

Case No.: 12-CP-29-0892

Scott L. Butler and Jacqueline Butler,

Appellants,

New York Community Bank,

Respondent.

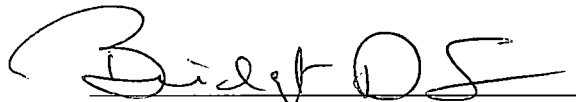
MOTION TO CONSOLIDATE

Comes now Appellants, SCOTT L. BUTLER and JACQUELINE BUTLER, through their undersigned counsel and pursuant to Rule 241(c), SCACR and all other applicable law, seeks a Motion to Consolidate Appeals filed by the Appellants in the above referenced case. In support of said Motion, Appellants would state as follows:

1. On March 2, 2016 Respondent was granted Summary Judgment and an Order of Judgment and Foreclosure was entered.
2. Appellants filed a Notice of Appeal of said Order on April 6, 2016.
3. On May 2, 2016, an order setting bond of \$603,875.00 to stay the foreclosure sale was entered and Appellants filed its Notice of Appeal of said Order on June 1, 2016.
4. On March 6, 2017, an Order partially vacating the above March 2, 2016 Order was entered and Appellants have filed a Notice of Appeal of said 60(b) Order on even date herewith, April 3, 2017.

5. Rule 214, SCACR, provides that “Where there is more than one appeal from the same order, judgment, decision or decree, or where the same question is involved in two or more appeals in different cases, the appellate court may, in its discretion, order the appeal to be consolidated.”
6. In this case, because the Appellants have filed Notice of Appeals based on the same underlying March 2, 2016 Order of Summary Judgment and Order of Foreclosure and Sale, undersigned respectfully requests the Court to exercise its discretion and consolidate the above appeals into one appellate case and to grant Appellant the ability to file a consolidated brief with respect to all three appeals within 30 days of its ruling on this Motion to Consolidate.

April 3, 2017



Bridget D. Swing
111 East North Street (29601)
PO Box 8246
Greenville, SC 29604
Mr. William Jeffrey Barnes
1515 North Federal Highway
Suite 300
Boca Raton, Florida 33232
Pro Hac Vice

Attorneys for Defendants Scott and Jacqueline
Butler

Other Counsel of Record

Magalie A. Creech
Finkel Law Firm, LLC
PO Box 71727
North Charleston, SC 29415
Attorney for Respondent

Mr. Adam S. Tesh,
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PO Drawer 7788
Columbia, SC 29202
Attorney for LVNV Funding, LLC

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LANCASTER COUNTY
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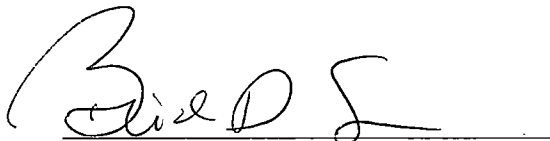
Respondent.

Certificate of Service

The undersigned attorney of record for Appellants Scott L. Butler and Jacqueline Butler hereby certifies that the foregoing Motion to Consolidate was personally served upon the following addresses:

Ms. Magalie A. Creech, Finkel Law Firm, PO Box 71727, North Charleston, SC 29415

This the 3rd day of April, 2017



Bridget D. Swing
111 East North Street (29601)
PO Box 8246
Greenville, SC 29604

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SC Court of Appeals

Mr. William Jeffrey Barnes
22174 Bella Lago Drive, Suite 501
Boca Raton, FL 33433
Pro Hac Vice

Attorneys for Defendants Scott and Jacqueline
Butler



Law Office of
Bridget D Swing, LLC

BRIDGET D. SWING
Attorney
licensed in SC & NC

SC tel & fax: 864-551-4353

email: BSwingLaw@gmail.com

RECEIVED April 6, 2016

APR 04 2017

SC Court of Appeals

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

RE: Scott L. Butler and Jacqueline Butler, Appellants vs. New York Community Bank, Respondent
Court of Common Pleas Case No: 12-CP-29-0892

Dear Ms. Kitchens:

Enclosed please find the original and six copies of Appellants Motion to partially Lift the July 25, 2016 Order and Request for Extension to time to File Initial Briefs and Certificate of Service and the original and six copies of Appellants Motion to Consolidate for the above referenced civil case along with Appellants \$25.00 filing fee for each Motion. If you can please return a file stamped copy of the Motion and Certificate of Service to my office in the self-addressed stamped envelope provided.

By copy of this letter, I am serving a copy of the above referenced Motions to counsel for the Respondent.

Please do not hesitate to call if you require anything further from me at this time.

Sincerely,

Bridget D. Swing

CC with enclosure: Ms. Magalie A. Arcure, Esq, Finkel Law Firm, PO Box 71727, North
Charleston, SC 29415



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ORIGIN ID: SPAA (828) 393-4228
BRIDGET SWING

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UNITED STATES US

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TO HONORABLE JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET

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APR 04 2017

COLUMBIA SC 29201

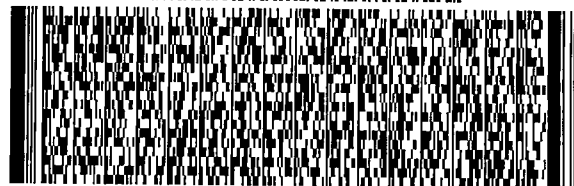
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SC Court of Appeals
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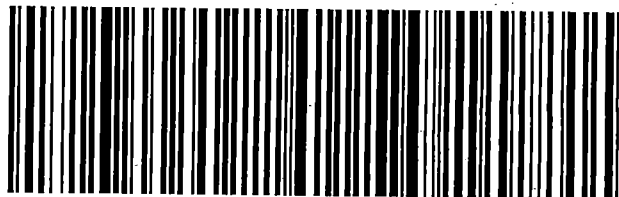
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STANDARD OVERNIGHT

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