

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

C. Heath Ruffner, Special Referee

Appellate Case No. 2016-001838

RECEIVED

APR 07 2017

SC Court of Appeals

American Community Bank, a division of Yadkin Valley
Bank and Trust, Respondent,

vs.

Michael R. Brown, C.W. Horne, Shortt Auction & Realty Co., Inc.,
Bank of America, N.A. and Jaguar Portfolio, LLC, Defendants,

Of whom Michael R. Brown is the Appellant.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 240(c) and 263(b), SCACR, Respondent hereby submits the within motion for extension of the deadline for filing and serving its initial brief and designation of matter to be included in the record on appeal (Motion).

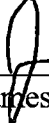

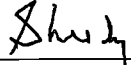
Respondent's initial brief and designation of matter to be included in the record on appeal are due on April 7, 2017. As of Tuesday, April 4th, Appellant and Respondent have settled this matter; however, they need additional time to draft and file appropriate documents to consummate their settlement. Those documents will not be completed and filed prior to April 7, 2017. Through this Motion, Respondent seeks an extension of thirty

days or until May 8, 2017, to file its initial brief and designation of matter to be included in the record on appeal should the settlement for an unknown reason not be consummated, so that the deadline does not pass while settlement documents are being reviewed.

WHEREFORE, Respondent respectfully requests an extension of thirty days, or until May 8, 2017, within which to file its initial brief and designation of matter to be included in the record on appeal.

Date: 4/5/17

Respectfully submitted,

  
James W. Sheedy, S.C. Bar No. 5052
Susan E. Driscoll, S.C. Bar No. 71447
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Attorneys for Respondent

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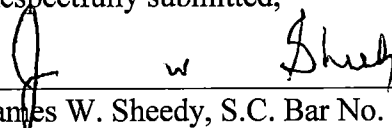
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below he served counsel for Appellant with a copy of the *Motion for Extension of Time* by mailing a copy of the same via First Class, U.S. Mail to the address shown below.

John Martin Foster, Esq.
The Guardian Building
223 East Main Street, Suite 520
Rock Hill, SC 29730

Date: 4/5/17

Respectfully submitted,


James W. Sheedy, S.C. Bar No. 5052
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April 5, 2017

Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

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SC Court of Appeals

**Re: American Community Bank, a division of Yadkin Valley Bank & Trust v.
Michael R. Brown, et al.
Appellate Case No. 2016-001838**

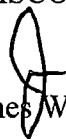
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion for Extension of Time and a Certificate of Service in the above captioned matter. Please return a filed copy to me in the enclosed envelope. I have also enclosed a check in the amount of \$25.00 for the motion filing fee.

With kindest regards, I remain

Respectfully,

DRISCOLL SHEEDY, P.A.


James W. Sheedy

cc: Tom Choiniere
J. Martin Foster, Esq.

Driscoll SHEEDY

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Charlotte, NC 28277



Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
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