

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2010-CP-30-1141
Appellate Case No. 2014-002295

RECEIVED

APR 19 2017

SC Court of Appeals

First Citizens Bank and Trust Company, Inc. Respondent,


v.

Park at Durbin Creek, LLC; Kenneth E. Clifton; and
Linda G. Whiteman Petitioners,

MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF
CERTIORARI TO COURT OF APPEALS

Pursuant to Rules 242 and 263, SCACR, Petitioners Park at Durbin Creek, LLC and Kenneth E. Clifton ("Petitioners") hereby move this Court for an Order granting a ten (10) day extension of time in which to file a Petition for a Writ of Certiorari to the Court of Appeals, together with the Record on Appeal and Appendix. On February 15, 2017, the Court of Appeals issued an Opinion (Op. 5469) affirming the decision of the trial court. Petitioners timely filed a Petition for Rehearing with the Court of Appeals. By Order dated March 16, 2017, the Court of Appeals denied the Petition for Rehearing. Pursuant to Rule 242 and 263, SCACR, the deadline for filing a Petition for Writ of Certiorari is April 17, 2017. Based on heavy workload, Petitioners respectfully request a

ten (10) day extension of time to file their Petition for a Writ of Certiorari. No further delays or extension requests are anticipated.



J. Calhoun Pruitt, Jr., SC Bar No. 4588
Joshua B. Raffini, SC Bar No. 101338
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101 N. Murray Ave.
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(864) 224-3121
Attorney for Petitioners

April 17, 2017

THE STATE OF SOUTH CAROLINA
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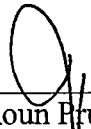
Park at Durbin Creek, LLC; Kenneth E. Clifton; and
Linda G. Whiteman Petitioners,

PROOF OF SERVICE

I certify that I have served the **MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO COURT OF APPEALS** on
Respondent, by depositing a copy of it in the United States Mail, postage prepaid, April
17th, 2017, addressed as follows:

Ella S. Barbery
James H. Cassidy
Joseph O. Smith
Roe Cassidy Coates & Price, P.A.
P.O. Box 10529
Greenville, SC 29603
Attorneys for Respondent

April 17, 2017.



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April 17, 2017

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SC Court of Appeals

Honorable Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

Re: First Citizens Bank & Trust vs. Park at Durbin Creek, et al
#2010-CP-30-1141
Appellate Case No. 2014-002295

Dear Mr. Shearouse:

Please find enclosed herewith for filing the original and six (6) copies of Motion for an Extension of Time in which to file our Petition for a Writ of Certiorari to the Court of Appeals in the above case. I have also enclosed our check in the amount of \$25.00, which I understand is the appropriate fee.

Should you have any questions or need anything further from me, please do not hesitate to contact me.

Sincerely,

PRUITT & PRUITT



Joshua B. Raffini


Enclosures

Cc: Clerk, Court of Appeals (w/ 1 copy enclosure)
James H. Cassidy (w/ 1 copy enclosure)
Ella S. Barbary (w/ 1 copy enclosure)
Joseph O. Smith (w/ 1 copy enclosure)

PRUITT & PRUITT
ATTORNEYS AT LAW, P.A.
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