

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

Bank of North Carolina,

Respondent,

v.

Anthony 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.

**RESPONDENT DAVID SWANSON'S RESPONSE IN OPPOSITION
TO APPELLANT'S REQUEST FOR EXTENSION**

Respondent David Swanson respectfully opposes Appellant's request for a 60-day extension to file a reply brief. Initial briefing was completed in this appeal on May 26, 2017.¹

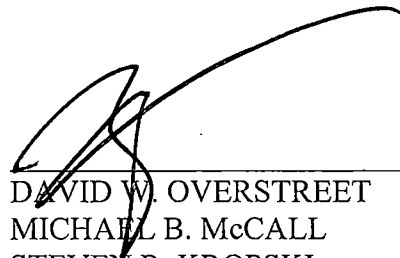
¹ The initial briefs of Respondents David Swanson and Bank of North Carolina were served on May 26, 2017. Respondent Cindy Whitfield has not filed a brief. The deadline for Respondent Cindy Whitfield to serve an initial brief was April 25, 2017.

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Pursuant to Rule 210(a), SCACR, Appellant was required to serve a copy of the Record on Appeal on Respondents on or before June 26, 2017. Instead, Appellant has now moved for an additional 60 days to file a reply brief. If Appellant intended to file a reply brief, or for that matter, request an extension to file a reply brief, he was required to do so by June 5, 2017.

Appellant's requested extension would delay this appeal by 90 days. The extension should be denied and the parties should move forward with final briefing consistent with the South Carolina Rules of Appellate Procedure.

This 28th day of June, 2017.



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Attorneys for Respondent David Swanson

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CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served *Respondent David Swanson's Response in Opposition to Appellant's Request for Extension* upon Appellant and Respondents by U.S. Mail on June 28, 2017, postage paid, addressed to their attorneys of record as follows:

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Brent S. Halverson, Esq.
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Andrew J. McCumber, Esq.
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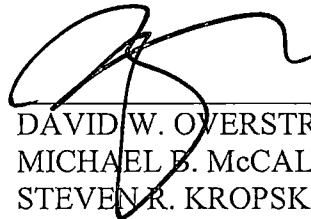
Brian C. Duffy, Esquire
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**Attorneys for Respondent Bank of
North Carolina**

Paul B. Ferrara, III, Esquire
Ferrara Law Firm, PLLC
2300 Otranto Road
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**Attorneys for Respondent Cindy
Whitfield**

This 28th day of June, 2017.



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June 28, 2017

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court for the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

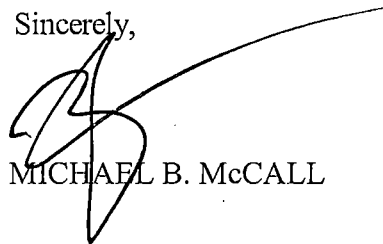
Re: Bank of North Carolina v. Whitfield v. Swanson
Appellate Case No.: 2016-002193
EO File No.: 130-0163

Dear Ms. Kitchings:

Enclosed please find for filing in the above-referenced matter the original and six copies of Respondent David Swanson's Response in Opposition to Appellant's Request for Extension, and proof of service of the same.

By copy of this correspondence, I have served the same upon all counsel of record. If you have any questions or concerns, please do not hesitate to contact me. Thank you in advance for your attention to this matter.

Sincerely,



MICHAEL B. McCALL

MBM:tmm

Enclosures

cc: Brent Halversen, Esq.
Andrew J. McCumber, Esq.
Brian C. Duffy, Esq.
Paul B. Ferrera, Esq.

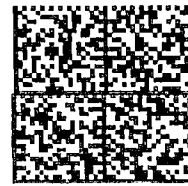


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