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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2012-CP-08-2618
Case No. 2012-CP-08-3478

Appellate Case No. 2016-002192

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SEP 05 2017
SC Court of Appeals

Bank of North Carolina.....Respondent,

v.

Anthony M. Whitfield and Cindy Whitfield.....Defendants,

Of whom Anthony M. Whitfield is the Appellant and Cindy Whitfield is a Respondent.

Anthony M. Whitfield.....Appellant,

v.

David Swanson.....Respondent

**RESPONDENT DAVID SWANSON'S MOTION FOR
AN EXTENSION OF TIME TO FILE FINAL BRIEF**

Steven Kropski
S.C. Bar No. 101441
David Overstreet
S.C. Bar No. 16965
Mike McCall
S.C. Bar No. 73028
Earhart Overstreet LLC
P.O. Box 22528
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*Attorney for Respondent
David Swanson*

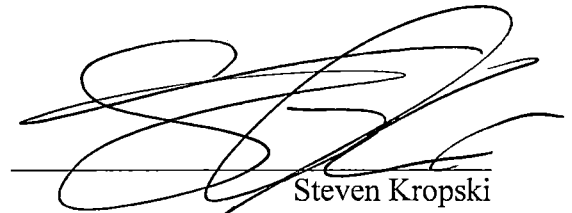
Date: August 31, 2017



Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondent David Swanson hereby moves to extend the time to file Respondent's Respondent's Final Brief. Respondent moves for an extension of time to file his Final Brief until twenty days (20) after Appellant serves and files a corrected Record on Appeal. The reason for this request arises out of certain deficiencies in the Record on Appeal identified by Respondent. Appellant has indicated that he is currently working to resolve the deficiencies identified by Respondent and will serve a corrected Record on Appeal promptly.

This is Respondent's first request for an extension to file his Final Brief. Appellant consents to Respondent's request for an extension.

WHEREFORE, Respondent respectfully requests that this Court grant Respondent an extension and to file his Final Brief until twenty days (20) after service by Appellant of a corrected Record on Appeal.



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Attorney for Respondent
David Swanson

CERTIFICATE OF SERVICE

The undersigned certifies *that Respondent's Motion for Extension of Time to File Final Brief* was served on appellant's counsel and all other counsel by depositing a copy thereof in the United States mail, first class, postage prepaid, and addressed to:

Brent S. Halverson, Esq.
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Andrew J. McCumber, Esq.
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Counsel for Plaintiff

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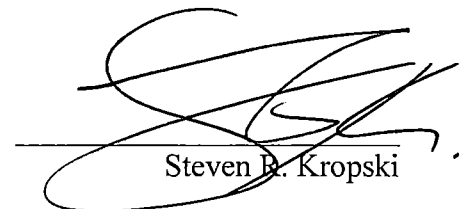
Paul B. Ferrara, III, Esquire
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N. Charleston, SC 29406
Attorney for Respondent Cindy Whitfield

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SC Court of Appeals

This the 31st day of August 2017


Steven B. Kropski



Earhart Overstreet

ATTORNEYS AT LAW

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August 31, 2017

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211


Re: Bank of North Carolina v. Anthony M. Whitfield and Cindy Whitfield
v. David Swanson
Appellate Case No.: 2016-002192 (Whitfield #1)
EO File No.: 130-0163

Dear Ms. Kitchings:

Enclosed for filing please find an original and six copies of the Respondent David Swanson's Motion for an Extension of Time to File Final Brief along with the appropriate filing fee.

By copy of this correspondence, I have served the same upon all counsel of record. If you have any questions or concerns, please not hesitate to contact me. With kind regards, I am

Sincerely,

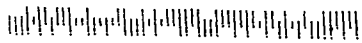


STEVEN R. KROPSKI

SRK/kjj

Enclosures

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



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