

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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DEC 19 2017

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Charles B. Simmons, Jr., Master-in-Equity

Case No.: 2014-CP-23-4097

First Citizens Bank and Trust Company, Inc.....Respondent,

vs.

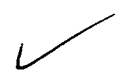
Ronald D. Taylor and Ted D. Smith.....Defendants

Of Whom Smith Family, LLC, WHS Properties, LLC and Wanda H. Smith are the Appellants.

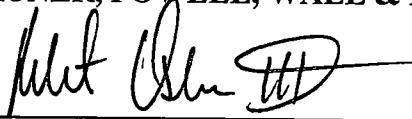
**RESPONDENTS'S MOTION FOR AN EXTENSION OF TIME TO FILE
RESPONDENT'S INTIAL BRIEF**

Pursuant to Rules 240(e) and 263(b) of the South Carolina Appellate Court Rules, Respondent, First Citizens Bank and Trust Company, Inc. ("First Citizens" or "Respondent"), hereby moves for an Order of this Court granting a thirty-day extension to file Respondent's Initial Brief. Appellant's Initial Brief and Designation Matter on Appeal were served on November 28, 2017. Therefore, Respondent's Initial Brief is currently due on December 29, 2017. Appellant respectfully requests a thirty-day extension thereby making Respondent's Initial Brief due on January 29, 2018.

A thirty-day extension is requested due to the upcoming holidays and to ensure that Respondent has adequate time to fully address and brief the issues on appeal. Appellant's Counsel's office consents to this request for an extension of time.



BRUNER, POWELL, WALL & MULLINS, LLC



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Robert C. Osborne III
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Attorneys for Respondent

Columbia, South Carolina

December 19, 2017

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Ronald D. Taylor and Ted D. Smith.....Defendants

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PROOF OF SERVICE

I certify that served *Respondent's Motion for an Extension of Time to File Respondent's Initial Brief* on Appellant's Counsel by depositing a copy of it in the United States Mail, postage prepaid, on December 19, 2017, addressed to its/hers/their attorney of record, Randall S. Hiller, Esq. (address shown below).



December 19, 2017

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** Also Admitted in District of Columbia

December 19, 2017

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court -The South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

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SC Court of Appeals

RE: First Citizens Bank & Trust Company, Inc. v. Ronald Taylor, et al.
Appellate Case No.: 2017-001700
BPWM File No.: 8-2545.119

Dear Ms. Kitchings:

Enclosed herewith you will find an original and eight (8) copies of *Respondent's Motion for an Extension of Time to File Respondent's Initial Brief* along with a \$25.00 check to cover the applicable filing fee. Also enclosed is a Proof of Service evidencing service of the same upon counsel for the Appellant. I kindly ask that your staff file the original and copies in accordance with your procedures. Thereafter, I ask that your staff return two (2) filed copies back to my runner who will be waiting. Feel free to call me if you, or a member of your staff, have any questions.

With my kindest regards, I am

Sincerely,



Robert C. Osborne III

/RCO

Enclosures

cc: Randall S. Hiller, Esq. (Via U.S. Mail and E-Mail)