

85524

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Cynthia Graham Howe, Master-in-Equity

Appellate Case No. 2017-000884

**RECEIVED**  
DEC 28 2017  
SC Court of Appeals

Deutsche Bank National Trust Company, as Trustee  
on Behalf of the Certificateholders of Morgan Stanley  
ABS Capital I Inc. Trust 2004-NC8 for Mortgage Pass  
Through Certificates, Series 2004-NC8,.....Respondent,

v.

James T. Burr a/k/a James Burr and Grand Strand  
Water & Sewer Authority, Defendants,

Of Whom James T. Burr a/k/a James Burr is.....Appellant.

MOTION FOR EXTENSION OF TIME TO SERVE  
RECORD ON APPEAL AND FILE PROOF OF SERVICE THEREOF

Andrew S. Radeker  
S.C. Bar No. 73743  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

✓

Appellant hereby moves pursuant to Rule 263(b), SCACR, for extension until January 12, 2018, of the time in which to serve the record on appeal in this case and to file proof of service thereof. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

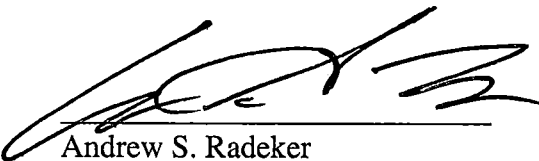
1. This is the first extension of this deadline that Appellant has sought in this appeal, and Appellant's counsel anticipates no reason why another extension of it would be sought.
2. The deadline sought to be extended runs today, December 28, 2017.
3. That deadline had previously been held in abeyance as a result of the Respondent's motions to relieve counsel and to dismiss this appeal. See Rule 240(b), SCACR.
4. On December 14, the court granted Respondent's motion to relieve counsel. The order granting that motion, however, was not received in the mail by Appellant's counsel's office until December 19. On December 20, Respondent's counsel submitted a letter withdrawing the motion to dismiss the appeal. The next day, December 21, the court sent a letter noting the withdrawal of the motion and setting the deadline subject of this motion for today, December 28.
5. All of the events in the above paragraph occurred without Appellant's counsel having actual knowledge of them at or soon after the time they occurred. Because of a family vacation the week before Christmas and the time during which his office was closed for Christmas on December 25 and 26, Appellant's counsel was out of

the office from December 18 through December 26. Appellant's counsel's office received a copy of the court's December 21 letter yesterday, and the undersigned saw it yesterday afternoon.

6. In addition to time away from the office for an upcoming New Year's holiday celebration, Appellant's counsel has a number of upcoming court events and accordingly requests an extension of the subject deadline to January 12, 2018. That would constitute a 15-day extension.
7. Appellant's counsel believes there is good cause to grant the requested extension to January 12, 2018.

WHEREFORE Appellant prays for an order extending until January 12, 2018, the time in which to serve the record on appeal in this case and to file proof of service thereof.

Respectfully submitted,



Andrew S. Radeker  
S.C. Bar No. 73743  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

December 28, 2017

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Cynthia Graham Howe, Master-in-Equity

Appellate Case No. 2017-000884

**RECEIVED**  
DEC 28 2017  
SC Court of Appeals

Deutsche Bank National Trust Company, as Trustee  
on Behalf of the Certificateholders of Morgan Stanley  
ABS Capital I Inc. Trust 2004-NC8 for Mortgage Pass  
Through Certificates, Series 2004-NC8,.....Respondent,

v.

James T. Burr a/k/a James Burr and Grand Strand  
Water & Sewer Authority, Defendants,

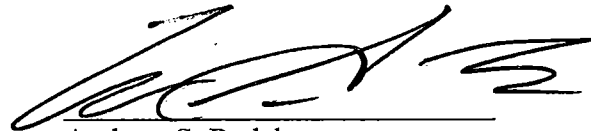
Of Whom James T. Burr a/k/a James Burr is.....Appellant.

PROOF OF SERVICE

I certify that I served the foregoing motion for extension of time by depositing  
a copy of it on the date shown below in the United States Mail, postage prepaid,  
addressed as follows:

Brian M. Barnwell, Esq.  
Nelson Mullins Riley & Scarborough, LLP  
Meridian/17th Floor  
1320 Main Street  
Columbia, SC 29211

December 28, 2017



Andrew S. Radeker  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
Attorney for Appellant