

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Thomas A. Russo, Circuit Court Judge

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JAN 09 2018

SC Court of Appeals

Case No. 2014-CP-21-00916

Beneficial Financial I, Inc., successor by merger to
Beneficial Mortgage Co. of South Carolina, Appellant

v.

Jon Windham, a/k/a Jon D. Windham; Frances Windham, a/k/a
Frances C. Windham; and Jerry Coker, a/k/a Jerry L. Coker;
Carolina Bank & Turst Co.; The United States of America, by
and through its agency, the Internal Revenue Service; and
The Citizens Bank, Defendants

Of Whom Jon Windham is the Respondent

Appellate Case No. 2017-001954

RESPONDENT'S OBJECTION TO APPELLANT'S MOTION FOR EXTENSION

Penny Hays Cauley, S.C. State Bar # 76881
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William K. Geddings, S.C. State Bar # 78692
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Attorneys for Respondent

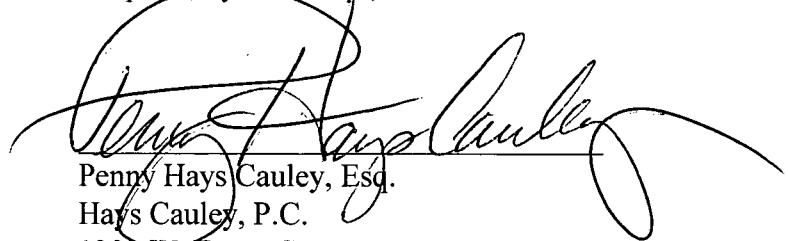
COMES NOW the Respondent, Jon Windham, and hereby objects to Appellant's Motion for Extension of Time and as grounds therefore states as follows:

Appellant's Motion does not set forth any legal grounds in support of the requested extension but only claims it "is not intended for purposes of delay, but in order to properly research and prepare Appellant's brief." Appellant received the transcript of the Circuit Court proceeding on December 7, 2017. The transcript of the hearing on Respondent's motion for summary judgment is only seven (7) pages in length. As Appellant is appealing the Order entering summary judgment in favor of Respondent and Appellant elected not to file any opposition to Respondent's motion for summary judgment, either prior to or at the hearing, it is unclear what further research could possibly justify Appellant's request for an additional 30 days to file its Initial Brief.

Wherefore, as Appellant has failed to support the requested extension, Respondent respectfully requests that Appellant's Motion be denied.

This the 8th day of January, 2018.

Respectfully submitted,

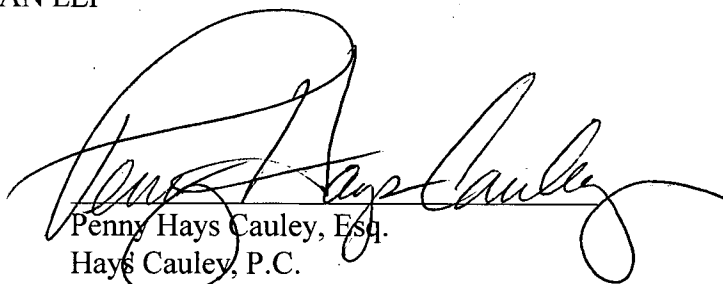
A handwritten signature in black ink, appearing to read "Penny Hays Cauley", written over a horizontal line. The signature is fluid and cursive.

Penny Hays Cauley, Esq.
Hays Cauley, P.C.
1303 W. Evans Street
Florence, SC 29501
(843)665-1717
Attorney for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of January, 2018, I served a copy of the Respondent's Objection to Appellant's Motion for Extension of Time upon all counsel for Appellant by placing a copy of same in the United States Mail, first class postage prepaid and properly addressed to the following:

Rebecca K. Lindahl
Richard L. Farley
KATTEN MUCHIN ROSENMAN LLP
550 S. Tryon Street, Suite 2900
Charlotte, NC 28202
Attorneys for Appellant



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January 8, 2018

VIA PRIORITY MAIL

Ms. Jenny Abbott Kitchings
Clerk of Court - SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

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SC Court of Appeals

**RE: Beneficial Financial I, Inc., successor by merger to
Beneficial Mortgage Co. of South Carolina, Appellant**

v.

**Jon Windham, a/k/a Jon D. Windham; Frances Windham, a/k/a
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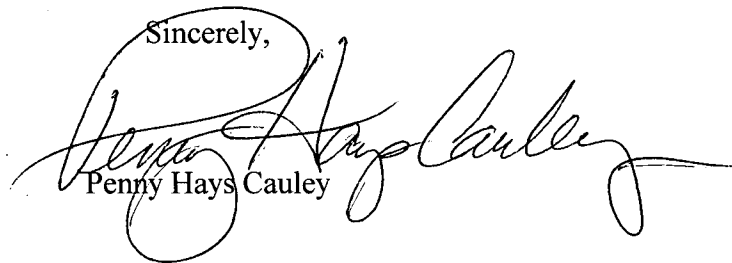
Of Whom Jon Windham is the Respondent

Appellate Case No. 2017-001954

Dear Ms. Kitchings:

Please find enclosed the original and six copies of Respondent's Objection to Appellant's Motion for Extension of Time. A copy has been served upon counsel for Appellant.

Sincerely,



Penny Hays Cauley

PHC/wp
Enclosure

cc: Rebecca K. Lindahl
Richard L. Farley

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SHIP TO: Ms Jenny Abbott Kitchings
Clerk Of Court - SC Court Of Appeals
1220 Senate Street
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