

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

J. C. Nicholson, Jr., Ninth Judicial Circuit

Case No. 2012-CP-10-7008

**RECEIVED**  
MAY 09 2018  
SC Court of Appeals

The Bank of New York Mellon f/k/a The Bank of New Your, as successor  
in interest to JP Morgan Chase Bank, N.A. as Trustee for Bear Stearns,  
Asset Backed Securities Trust 2006-SD3, Asset Backed Certificates  
Series 2006-SD3 .....Respondent

v.

Carl D. Hamm, Jan H. Jernigan n/k/a Jan Hamm, Mortgage Electronic  
Registration Systems, Inc., as nominee for Countrywide Home Loans Inc.;  
United States of America, acting by and through its agency the Internal Revenue  
Service; and Midland Funding, LLC ,

of whom Carl D. Hamm and Jan Hamm are the ..... Appellants.

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NOTICE OF MOTION AND  
MOTION FOR EXTENSION OF TIME  
TO FILE INITIAL BRIEFS

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The Appellants Carl D. Hamm and Jan Hamm, by and through their undersigned counsel, hereby move this Court for an order granting a thirty (30) day extension, or until June 4, 2018, in which to file Appellants Initial Brief on the grounds the parties are attempting to resolve the matter and need additional time for alternate dispute resolution. Respondent has consented to the requested relief.

April 30, 2018

Respectfully submitted,

MARY LEIGH ARNOLD, P.A.



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*Attorney for Appellants*

Other Counsel of Record:  
Brian Montgomery Barnwell, Esquire  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
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*Attorney for Respondent*

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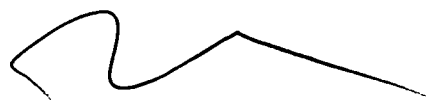
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**PROOF OF SERVICE**

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I hereby certify that I have served the Notice of Motion and Motion for Extension  
of Time to File Initial Briefs by depositing a copy of the same on April 30, 2018 in the  
United States Mail, postage pre-paid, addressed to the below Counsel of Record:

Brian Montgomery Barnwell, Esquire  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
Meridian/17th Floor  
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May 7, 2018

The Honorable Jennifer Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

**RECEIVED**

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SC Court of Appeals

RE.: The Bank of New York Mellon, f/k/a The Bank of New York, as  
successor-in-interest to JP Morgan Chase Bank, N.A. as Trustee for Bear  
Stearns Asset Backed Securities Trust 2006-SD3, Asset-Backed  
Certificates Series 2006-SD3 v. Carl D. Hamm, et al.  
CASE NO.: 2012-CP-10-7008  
Appellate Case No. 2018-000011

Dear Ms. Kitchings:

Enclosed for filing is a *corrected* Notice of Motion for Extension of Time to File Initial Brief with regard to the above-referenced matter. I apologize for any inconvenience caused by my making reference the wrong date.

Should you have any questions or concerns please do not hesitate to contact me.

MARY LEIGH ARNOLD P.A.

Mary Leigh Arnold

Enclosures/(as stated)  
Cc: Brian Barnwell, Esq.

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CHARLESTON SC 294

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**SC Court of Appeals**

The Honorable Jennifer Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
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