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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Marvin H. Dukes, III

RECEIVED

JUN 11 2018

SC Court of Appeals

Case No. 2012-CP-07-0442

CIT Bank, N.A. (formerly known as OneWest Bank, N.A.)..... Respondent,

v.

Romar C. Frazier, Darlene Ellington, Lisa Coakley, Keith Frazier a/k/a Keith W. Frazier, Joe W. Frazier, The United States of America acting by and through its agency the Department of Housing and Urban Development, Ford Motor Credit Company, and The South Carolina Department of Revenue,.....Defendants,

Of Whom Romar C. Frazier is theAppellant.

APPELLANT’S FOURTH MOTION FOR AN EXTENSION

Appellant Romar C. Frazier moves this Court for a twenty-day extension in which to file the Initial Brief of Appellant and Designation of Matter to be included in the Record on Appeal. This is Appellant’s fourth request for an extension. The purpose of the extension is due to the following extraordinary circumstances:

1. This case involves a reverse mortgage foreclosure of heir’s property and the parties are attempting to negotiate a purchase/refinance of the property that would resolve the foreclosure. In so doing, we have been unable as of yet to confirm whether a U.S. Department of Housing and Urban Development second mortgage securing the reverse mortgage will be satisfied upon satisfaction of the mortgage being foreclosed. In addition, there are various other potential liens

that attached to the property from prior partial owners that need to be explored, and which have just been identified since the last extension request;

2. Appellant is still awaiting financial approval from a lending institution;

3. There are many hands and parts in this matter that have resulted in delays in communication.

We request this extension to allow the parties to finalize a resolution of the matters on appeal, which the parties hope and expect to do within the next twenty (20) days. The Initial Brief of Appellant is currently due on June 13, 2018. This extension would make the Initial Brief and Designation of Matter due on July 3, 2018. Contemporaneously with this Motion, a Consent Order it also being submitted regarding the request for an extension.

Appellant has consulted with counsel for Respondent, who consents to this Motion and extension, as is reflected in the accompanying Consent Order.


Respectfully submitted,

Dated:

June 8, 2018

LAW OFFICE OF SCOTT M. WILD, LLC

By:



Scott M. Wild, Bar No. 76528
Post Office Box 6867
Hilton Head Island, SC 29938

Attorney for Appellant

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Of Whom Romar C. Frazier is theAppellant.

CONSENT ORDER ON APPELLANT'S FOURTH MOTION FOR AN EXTENSION

The undersigned, as attorneys for the Appellant and Respondent, respectfully, hereby consent to a twenty-day extension in which to file the Initial Brief of Appellant and Designation of Matter to be included in the Record on Appeal. The Initial Brief of Appellant is currently due on June 13, 2018. This is Appellant's fourth request for an extension. We hereby grant the extension, and the initial Brief and Designation of Matter is now due on July 3, 2018. No further extensions absent extraordinary circumstances.

[Signature block appears on the following page.]

AND IT IS SO ORDERED

Judge/Clerk

June _____, 2018

Columbia, South Carolina

I CONSENT,

Dated:

LAW OFFICE OF SCOTT M. WILD, LLC

June 8, 2018

By: 

Scott M. Wild, Esq. SC Bar No. 76528
Post Office Box 6867
Hilton Head Island, SC 29938

Attorney for Appellant

I CONSENT,

Dated:

NELSON, MULLINS, RILEY & SCARBOROUGH

June 8, 2018

By: 

^{express}
w/ permission from Mr. McGee.

Thomas W. McGee, III, Esq.
1320 Main Street, 17th Floor
Columbia, SC 29201

Attorney for Respondent

I CONSENT,

Dated:

CALLISON TIGHE & ROBINSON

June 8, 2018

By: 

^{express}
w/ permission from Mr. Koutrakos

Demetri Koutrakos, Esq.
P.O. Box 1390
Columbia, SC 29202

Attorney for Respondent

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In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
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The Honorable Marvin H. Dukes, III

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Of Whom Romar C. Frazier is theAppellant.

PROOF OF SERVICE

The undersigned certifies that a copy of the Appellant's Fourth Motion for an Extension and Consent Order on Motion to Extend Time has been served upon the individuals listed below by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this 8th day of June 2018, to:

Joe W. Frazier
3536 Hooper Road
New Windsor, MD 21776

Lisa Coakley
11515 Prospect Place
Glenn Dale, MD 20769

Milton Kimpson, Esq.
South Carolina Department of Revenue
P.O. Box 125
Columbia, SC 29214

Darlene Ellington
517 Joe Frazier Road
Beaufort, SC 29906

milton.kimpson@dor.sc.gov
**Attorney for Defendant South Carolina
Department of Revenue**

Keith Frazier a/k/a Keith N. Frazier
517 Joe Frazier Road
Beaufort, SC 29906

Thomas W. McGee, III, Esq.
Nelson Mullins Riley & Scarborough, LLP
1320 Main Street, 17th Floor
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Attorney for the Plaintiff

Demetri Koutrakos, Esq.
Callison Tighe & Robinson
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jimkoutrakos@callisontighe.com
Attorney for the Plaintiff

The Honorable Jenny Abbott Kitchings
Clerk of Court for the Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Matthew J. Modica, Esq.
U.S. Attorney's Office
151 Meeting Street, Suite 200
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matthew.j.modica@usdoj.gov
***Attorney for the United States of America
acting by and through its agency the
Department of Housing and Urban
Development***

Roy W. Boggs, Esq.
110 Centerview Dr.
Columbia, SC 29210
&
1610 Hollywood Dr.
Columbia, SC 29205
Attorney for Ford Motor Credit Company

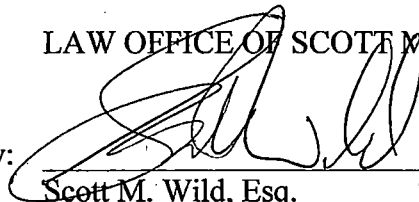
Office of Court Administration
ATTENTION: Rosalyn Frierson
1220 Senate Street, Suite 200
Columbia, SC 29201

Dated:

June 8, 2018

LAW OFFICE OF SCOTT M. WILD, LLC

By:



Scott M. Wild, Esq. SC Bar No. 76528
Post Office Box 6867
Hilton Head Island, SC 29938
Attorney for Appellant



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June 8, 2018

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JUN 11 2018

SC Court of Appeals

Via Federal Express

The Honorable Jenny Abbott Kitchings
Clerk of Court for the Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: *CIT Bank, N.A. (formerly known as OneWest Bank, N.A.) v. Romar C. Frazier, et al.*
Civil Action No. 2012-CP-07-00442

Dear Ms. Kitchings:

Enclosed please find one original and seven copies of the following:

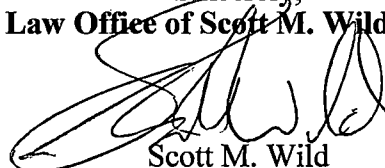
1. Romar C. Frazier's Fourth Motion for an Extension;
2. Consent Order on Appellant's Fourth Motion for an Extension; and
3. Proof of Service of the Motion and un-filed Consent Order

Also enclosed is a check in the amount of \$25.00 for the Motion filing fee. Please file the documents and return one file-stamped copy to our office in the enclosed self-addressed return envelope.

Previously, we were exploring a negotiated resolution of the matter on appeal. While at last request we were optimistic that the parties had reached an agreement, some issues have arisen that are laid out in the motion necessitating more time. **It would be a burden on the Appellant to prepare a brief that will likely prove unnecessary because the parties are close. I have consulted with attorneys for Respondents and they have consented to the extension.** If you have any questions, please do not hesitate to contact me. Thank you.

With kindest regards, I am,

Sincerely,
Law Office of Scott M. Wild, LLC



Scott M. Wild

Enclosure(s) (as stated above)

cc: Demetri Koutrakos, Esq., jimkoutrakos@callisontighe.com
(via scanned electronic mail attachment)

Thomas W. McGee, III, Esq., billy.mcgee@nelsonmullins.com
(via scanned electronic mail attachment)

✓

ORIGIN ID:HHHA (843) 785-9453
SCOTT WILD

SHIP DATE: 08JUN18
ACTWGT: 1.00 LB
CAD: 107039455/INET3980

P.O. BOX 6667
37 NEW ORLEANS ROAD, STE. F
HILTON HEAD ISLAND, SC 29938
UNITED STATES US

BILL SENDER

TO JENNY ABBOTT KITCHINGS
CLERK OF COURT APPEALS
1220 SENATE STREET

COLUMBIA SC 29201

(843) 785-9453

REF: FRAZIER 2012CP0700442

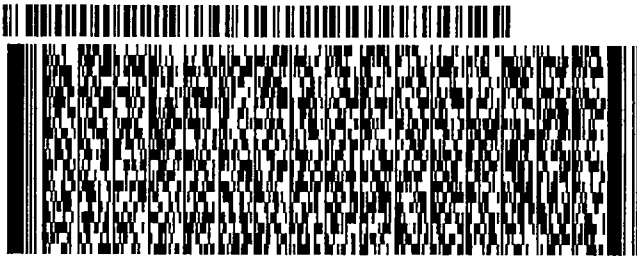
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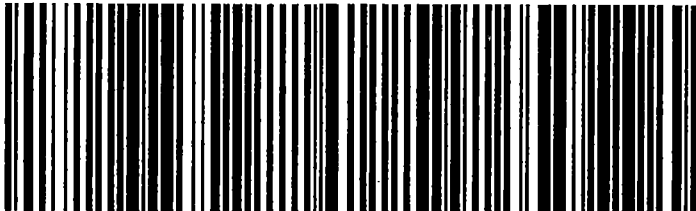
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SC Court of Appeals

6/8/2018