

**STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM ANDERSON COUNTY
Master in Equity**

The Honorable Ellis B. Drew, Jr., Master in Equity

RECEIVED

DEC 18 2012

SC Court of Appeals

**C.A. No. 2012-CP-04-02157
Appellate Case No. 2012-213510**

Pinnacle Bank of SC,

Respondent,

v.

Marsha P. Wright and Richard A. Wright

Appellants,

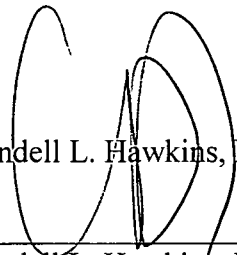
MOTION TO FILE OUT OF TIME

Marsha P. Wright and Richard A. Wright by and through their undersigned counsel hereby move to file Appellant's Notice of Appeal with the South Carolina Appellate Clerk of Court Out of Time.

Appellants timely filed Appellant's Notice of Appeal with the clerk of the lower court as well as the Respondents. Notice filed with the South Carolina Appellate Clerk of Court included the required disclosures as provided in Rule 203, SCACR. However such notice was provided to the Appellate Clerk of Court in an untimely fashion. Appellant has further complied with the requirements for notice with respect to the hearing

transcript for which the underlying motion is being appealed. Appellant has also timely filed its Initial Brief and Designation of Matter on December 12, 2012.

Appellants prays that this Court grant Appellants' Motion to File Appellants' Notice of Appeal Out of Time.


Wendell L. Hawkins, PA

Wendell L. Hawkins, Esq., SC Bar 13583
Susan S. Miranda, Esq. SC Bar 76343
Melinda. K. Powers, Esq. 72631
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Attorney for the Appellants

Greer, South Carolina
December 14, 2012

cc: Suzanne Graham Grigg, Esq.
Val Stieglitz, Esq.
Nexsen Pruet, LLC
1230 Main St., Ste 700
Columbia, SC 29201
(803) 771-8900

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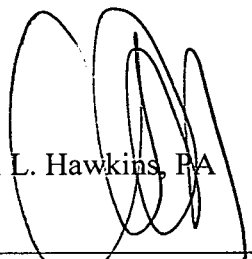
Appellants,

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Motion to File Out of Time of Appellant, along with this Certificate of Service were served upon counsel on December 14, 2012 by First Class Mail as follows:

Suzanne Graham Grigg, Esq.
Val Stieglitz, Esq.
Nexsen Pruet, LLC
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December 14, 2012
Via U.S. Mail

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The Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

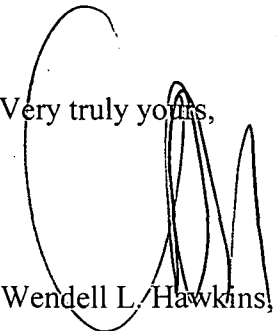
RE: Pinnacle Bank, SC v. Marsha P. Wright and Richard A. Wright
C.A. No. 2011-CP-04-02157

Dear Mrs. Kitchings:

Please find enclosed the Appellants' Motion to File Out of Time and Certificate of Service, six (6) copies in addition to the required \$25.00 filing fee.

With kind regards I remain,

Very truly yours,


Wendell L. Hawkins, Esq.

cc: Suzanne Graham Grigg, Esq.
Val Stieglitz, Esq.
Nexsen Pruet, LLC
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Columbia, SC 29201
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