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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Lisa Lee Smith, Special Referee

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Appellate Case No. 2017-002608

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**RECEIVED**  
AUG 14 2018  
SC Court of Appeals

Federal National Mortgage Association ("Fannie Mae"),  
a corporation organized and existing under  
the laws of the United States of America,

Respondent,

v.

D. Randolph Whitt and Pearce W. Fleming,

Defendants,

Of whom D. Randolph Whitt is the,

Appellant.

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**MOTION TO FILE AND SERVE  
FINAL BRIEF OF RESPONDENT OUT OF TIME**

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*Attorneys for Respondent*

**NOW COMES** Respondent Federal National Mortgage Association (“Fannie Mae”), a corporation organized and existing under the laws of the United States of America, who, by and through its undersigned counsel, respectfully moves before the Court for an extension of time in which to serve the *Respondent’s Final Brief* upon the Appellant and file the same and the accompanying *Proof of Service* with the Court. The *Respondent’s Final Brief* was due to be served on opposing counsel, and an original *Proof of Service* filed with the Court, on or before Monday, August 5, 2018. Appellant moves for the due date to be extended to Friday, August 10, 2018. The reason for the failure to timely serve and file the *Respondent’s Final Brief* and accompanying *Proof of Service* was due to calendaring the deadline for same twenty days after receipt of the *Record on Appeal* rather than the date indicated in its accompanying *Proof of Service*. Respondent respectfully submits that Appellant would not be prejudiced by the Court’s granting this Motion.

Respectfully submitted,

FINKEL LAW FIRM LLC

  
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*Attorneys for Appellant*

August 10, 2018

Opposing Counsel

D. Randolph Whitt, Esquire  
344 Blossom View Ct.  
West Columbia, South Carolina 29170  
*Appellant*

Pearce W. Fleming, Esquire  
723 Linwood Rd.  
Columbia, South Carolina 29205-2545  
*Defendant*

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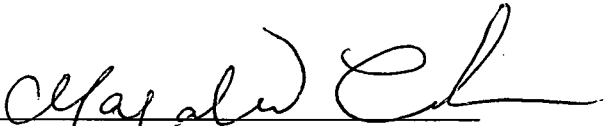
Appellant.

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**PROOF OF SERVICE**

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I certify that I have served the *Respondent's Motion to Serve Respondent's Final Brief Out of Time* by depositing a copy of same in the United States Mail, postage prepaid, on August 10, 2018, addressed to Appellant, D. Randolph Whitt, at 344 Blossom View Ct., West Columbia, South Carolina 29170 and to Defendant, Pearce W. Fleming, at 3723 Linwood Rd., Columbia, South Carolina 29205-2545.



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