

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Charleston County
Court of Common Pleas

Mikell R. Scarborough, Charleston County Master in Equity

RECEIVED
OCT 08 2018
SC Court of Appeals

APPELLATE CASE NO. 2018-000118

Bayview Loan Servicing, LLC, Appellant,

v.

Patrick A. Oden, Suzanne Oden,
and Hickory Hill Plantation Community Association, Respondents.

**RESPONDENTS' MOTION FOR LEAVE TO FILE THEIR FINAL BRIEF
OUTSIDE THE TIME PROVIDED FOR IN THE APPELLATE COURT RULES**

Respondents respectfully requests leave of Court to file and serve their Final Brief in this matter outside the time provided for in the Appellate Court Rules and state as follows:

1. Due to a calendaring error in counsel's office, Respondents missed the original deadline to file their Final Brief in this matter.
2. Subsequently, Hurricane Florence disrupted normal office operations for counsel and then his family experienced significant damage a result of the storm and ensuing flooding.
3. Since the storm, counsel has been away from his office assisting his family with their recovery efforts and did not have access to his mail as timely as he normally would have had.

4. On October 4, 2018, counsel received this Court's letter dated September 24, 2018 regarding his failure to file and serve Respondents' Final Brief. Counsel immediately contacted the Clerk's office to apologize and to request permission to file outside of time. This motion follows.

5. Respondents' counsel has requested consent from Appellant's counsel for this motion but she has understandably not yet had the opportunity to respond.

6. Counsel for Respondents has simultaneously with the filing of this Motion served the Final Brief so that the Clerk's office and Appellant's counsel already have them should the Court grant this motion.

WHEREFORE, Respondents respectfully requests leave of Court to file their Final Brief outside the time permitted by the Rules of Court.

Respectfully submitted,



Paul Doolittle
JEKEL-DOOLITTLE LLC
Post Office Box 2579
Mt. Pleasant, South Carolina 29465-2579
(843) 834-4712
Attorney for Respondents Patrick A. Oden
and Suzanne Oden

October 5, 2018
Charleston, SC

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

OCT 08 2018

SC Court of Appeals

Appeal from Charleston County
Court of Common Pleas

Mikell R. Scarborough, Charleston County Master in Equity

APPELLATE CASE NO. 2018-000118

Bayview Loan Servicing, LLC, Appellant,

v.

Patrick A. Oden, Suzanne Oden,
and Hickory Hill Plantation Community Association, Respondents.

PROOF OF SERVICE

I do hereby certify that I have on the 5th day of October 2018, served a copy of the **RESPONDENT'S FINAL BRIEF AND RESPONDENTS' MOTION FOR LEAVE TO FILE THEIR FINAL BRIEF OUTSIDE THE TIME PROVIDED FOR IN THE APPELLATE COURT RULES** by depositing copies of the same with FedEx postage prepaid, addressed to counsel for Appellant at Magalie A. Creech, FINKEL LAW FIRM LLC, P.O. Box 41489, Charleston, SC 29423.

Respectfully submitted,



Paul Doolittle
JEKEL-DOOLITTLE LLC
Post Office Box 2579
Mt. Pleasant, South Carolina 29465-2579
Attorney for Respondents Patrick A. Oden
and Suzanne Oden



JEKEL-DOOLITTLE ^{LLC}
Attorneys at Law

October 5, 2018

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

RECEIVED

OCT 08 2018

SC Court of Appeals

**RE: Bayview Loan Servicing , Inc., Appellant,
v. Patrick Oden, Suzanne Oden, and Hickory Hill Plantation
Community Association, Respondents.,
Appellate Case Number: 2018-000118**

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Respondents' Motion for Leave to File Respondents' Final Brief Outside of Time together with my check for twenty-five dollars to cover the motion filing fee. I am also enclosing the original and fourteen copies of Respondents' Final Brief, the Proof of Service, and Certification of Counsel so that you already have them should the Court graciously grant my motion to file outside of time.

Please contact me should you require any additional information. Thank you for your time and consideration.

With kind regards, I remain

Very respectfully,

Paul Doolittle

PD/ap

Enclosures

cc: Magalie A. Creech, Esquire

PO Box 2579 * Mount Pleasant, South Carolina 29465-2579
Cell: 843-834-4712 Fax: 888-567-1129
www.J-DLaw.com and Paul@J-DLaw.com