

88103

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

James O. Spence, Master-in-Equity

Appellate Case No. 2018-000436

RECEIVED  
OCT 15 2018  
SC Court of Appeals

Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 NovaStar Equity Loan Asset Backed Certificates, Series 2007-1,.....Respondent/Appellant,

v.

Patricia Owens a/k/a Patricia Ann Owens; Tammy M. Bailey; South Carolina Department of Motor Vehicles, Defendants,

Of whom Patricia Owens a/k/a Patricia Ann Owens and Tammy M. Bailey are the.....Appellants/Respondents,

MOTION FOR EXTENSION OF TIME TO SERVE  
RECORD ON APPEAL AND FILE PROOF THEREOF

Andrew S. Radeker  
S.C Bar No. 73743  
Harrison, Radeker & Smith, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellants/Respondents

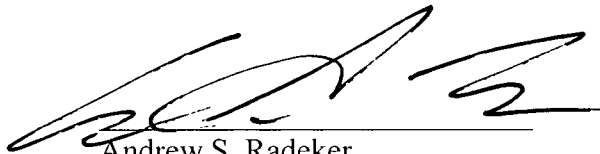
✓

Appellants/Respondents hereby move pursuant to Rule 263(b), SCACR, for an extension of the time in which to serve the Record on Appeal and file proof of that service in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. Through inadvertence, Appellants/Respondents' counsel let the deadline to serve the Record on Appeal and file proof of that service pass without doing so.
2. The Record on Appeal has now been served, and proof of such service is being filed concurrently with this motion.
3. Counsel for Respondent/Appellant graciously consents to extension of this deadline.
4. Appellants/Respondents' counsel knows of no prejudice that would be suffered by the extension of this deadline.
5. Appellants/Respondents' counsel believes there is good cause to grant the requested extension.

WHEREFORE Appellants/Respondents pray for an order extending the time in which to serve the Record on Appeal and file proof of that service in this case to deem the said service and filing timely.

Respectfully submitted,



Andrew S. Radeker  
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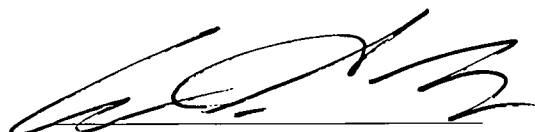
PROOF OF SERVICE

I certify that I served the foregoing motion for extension by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Michael C. Griffin, Esq.  
Jonathan E. Schulz, Esq.  
G. Benjamin Milam, Esq.  
Bradley Arant Boult Cummings LLP  
214 North Tryon St., Suite 3700  
Charlotte, NC 28202

Mary R. Powers, Esq.  
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Columbia, SC 29210

October 11, 2018

  
Andrew S. Radeker

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Of whom Patricia Owens a/k/a Patricia Ann Owens and Tammy M. Bailey are the.....Appellants/Respondents.

PROOF OF SERVICE OF RECORD ON APPEAL

I certify that I served the record on appeal in the above-captioned appeal on counsel for Respondent/Appellant by providing the same to him by email on the date given below, which he has stipulated constitutes service thereof, as shown by the attached email exchange.

Respectfully submitted,



Andrew S. Radeker  
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Post Office Box 50143  
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(803) 779-2211  
Attorney for Appellants/Respondents

October 11, 2018

## Drew Radeker

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**From:** Schulz, Jonathan <jschulz@bradley.com>  
**Sent:** Thursday, October 11, 2018 2:50 PM  
**To:** Drew Radeker  
**Subject:** RE: Deutsche Bank v. Owens

Thanks Drew. Email service is fine. I am reviewing this now and will follow up shortly to confirm all the records are there.

-Jonathan

**From:** Drew Radeker [mailto:Drew@harrisonfirm.com]  
**Sent:** Thursday, October 11, 2018 2:19 PM  
**To:** Schulz, Jonathan <jschulz@bradley.com>  
**Subject:** Deutsche Bank v. Owens

### [External Email]

Jonathan:

Below is a Dropbox link to the record on appeal, which is in two volumes:

<https://www.dropbox.com/sh/dpvxtprszh7bpdz/AAB0laR4Di2Q8D3EQMloQclva?dl=0>

If you want me to serve it on you by mail, I will certainly do so; however, to save trees and postage, I ask that you agree that this provision by email constitutes service. If you so agree, I'll then put that in a proof of service document and file it with a consent motion to extend the deadline, per our previous communications.

Sorry I dropped the ball on the timeliness of this. Also, as we discussed previously, please let me know if you find any errors in the record on appeal, like leaving something out, etc.

Let me know if you're agreeable to the above. Thanks.

Drew Radeker

**HARRISON  
& RADEKER  
& SMITH P.A.**  
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