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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2009-CP-46-1673

RECEIVED
JAN 31 2013
SC COURT OF APPEALS

Yadkin Valley Bank & Trust, Respondent,

v.

Oaktree Homes, Inc., Dawne M. Ras and
Thomas C. Ras, Daniel Simpson, Above All
Services, Inc., Carter Lumber Company, Efficient
Painting Contractors, Inc., Creative Concepts, and
Solid As A Rock, Inc., Defendants,

Of whom

Oaktree Homes, Inc., is the Appellant.

MOTION FOR EXTENSION

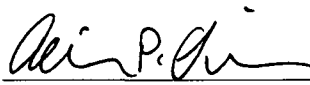
Pursuant to Rule 240, SCACR, Oaktree Homes requests a 5-day extension of the deadline for filing and serving the record on appeal in this case. The record is due February 4, 2013. This is the first request for an extension of this deadline. The new deadline would be Monday, February 11, 2013.

The parties are currently discussing a potential agreement to exclude portions of materials that were presented to the lower court from the record. This has the potential to eliminate over 1,000 pages from the record. Granting this extension would allow the parties

the opportunity to resolve this potential agreement and allow time for the appellant to have the record copied and bound so that it may be filed with the Court.

Respectfully submitted,

February 1, 2013

 with permission for

Blake A. Hewitt, SC Bar #73674

John S. Nichols, SC Bar #4210

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OF COUNSEL
O. Eugene Powell, Jr.
Rebecca Cagle Patrick

February 1, 2013

VIA HAND DELIVERY


The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Yadkin Valley Bank & Trust v. Oaktree Homes, Inc.
Case Tracking No. 2011-197970

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a *Motion for Extension* in this case. I have also enclosed a proof of service of this document on counsel for the Respondent and a check in the amount of \$25.00 for filing this motion. Please return the additional filed copy to me via our courier.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,


Erin Bridges
Paralegal to Blake A. Hewitt
BLUESTEIN, NICHOLS, THOMPSON &
DELGADO, LLC

/emb
Enclosures

cc: William A. McKinnon, Esquire
Chad McGowan, Esquire
James Sheedy, Esquire
Susan E. Driscoll, Esquire
William T. Moody, Esquire

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