

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

Daniel W. Stacy, Jr., Special Referee

Case No.: 2016-CP-22-00334

**RECEIVED**

JUL 26 2019

SC Court of Appeals

90409

The Bank of New York .....Respondent  
Mellon, f/k/a The bank of  
New York, as trustee for  
The Certificateholders of  
the CWABS, Inc., Asset-Backed  
Certificates, Series 2005-16

v.

Janet M. Smith, Portfolio .....Appellant.  
Recovery Associates, LLC  
And James E. Byrdic

**Of Whom Janet M. Smith is the Appellant**

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE APPELLANT'S INITIAL  
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN RECORDED ON APPEAL

Respondent hereby moves pursuant to Rule 263(b), SCACR, for an extension to  
September 5, 2019, of the time in which to serve and file Respondent's Initial Brief and  
Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this  
motion are that there is good cause to grant the requested extension, as the following shows:

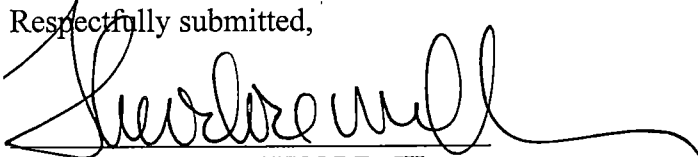
1. Respondent's deadline to file its Initial Brief and Designation of Matter is Monday,  
August 5, 2019.

2. Due to multiple court appearances, in and out of town, Respondent's counsel has not had time to draft the brief in this appeal.
3. This is Respondent's first request for an extension, the appeal has only recently been filed and a 30 day extension would not prejudice the appellant.
4. Respondent's counsel believes there is good cause to grant the requested extension of this deadline to September 5, 2019.
5. Appellant's counsel has consented to the extension.

WHEREFORE Respondent prays for an order extending the time in which to serve and file Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal to September 5, 2019.

Respectfully submitted,

BY:



B. LINDSAY CRAWFORD, III  
THEODORE VON KELLER, SC BAR NO. 5718  
SARA C. HUTCHINS  
B. LINDSAY CRAWFORD, IV  
CRAWFORD & VON KELLER, LLC  
POST OFFICE BOX 4216  
COLUMBIA, SOUTH CAROLINA 29240  
(803) 790-2626  
ATTORNEYS FOR RESPONDENT

Columbia, South Carolina

July 26, 2019

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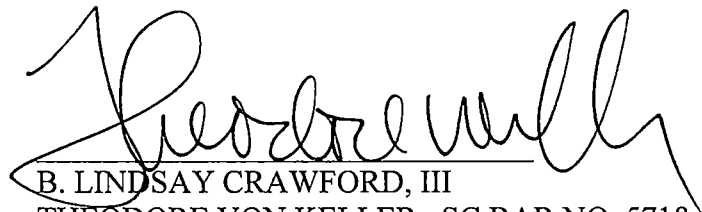
**Of Whom Janet M. Smith is the Appellant**

PROOF OF SERVICE

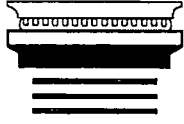
I certify that I served the foregoing motion to dismiss appeal in this case by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Jon Ozolins  
South Carolina Legal Services  
1201 B Creel Street, Wing A-1  
Conway, SC 29527

July 26, 2019



B. LINDSAY CRAWFORD, III  
THEODORE VON KELLER, SC BAR NO. 5718  
SARA C. HUTCHINS  
B. LINDSAY CRAWFORD, IV  
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COLUMBIA, SOUTH CAROLINA 29240  
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ATTORNEYS FOR RESPONDENT



**CRAWFORD & VON KELLER, LLC**

July 26, 2019

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JUL 26 2019

**SC Court of Appeals**

**Hand-Delivery**

South Carolina Court of Appeals  
1015 Sumter Street, Suite 5  
Columbia, SC 29201

**RE: The Bank of New York Mellon et al. v. Janet M. Smith  
Case No: 2016-CP-22-00334**

Dear Sir or Madam:

Enclosed please find the original and 2 copies of the **Motion for Extension of Time to Serve and File Appellant's Initial Brief** in the above referenced matter. Please file the original and return a clocked copy in the enclosed envelope. I have also enclosed a check in the amount of \$50.00 for the filing fee.

Please contact me with any questions.

Sincerely,

Crawford & von Keller, LLC

Theodore von Keller

/tdd

cc: Jon Ozolins  
South Carolina Legal Services  
1201B Creel Street, Wing A-1  
Conway, SC 29527