

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 31 2019
SC Court of Appeals

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

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE RESPONDENT'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

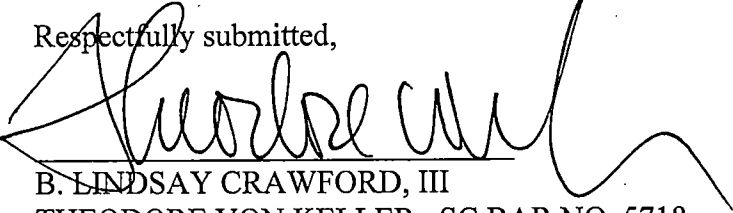
had time to draft the brief in this appeal.

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
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(803) 790-2626
ATTORNEYS FOR RESPONDENT

Columbia, South Carolina

July 31, 2019

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The Bank of New York Mellon, Respondent
f/k/a The Bank of New York
as trustee for The Certificateholders of
the CWABS, Inc., Asset-Backed
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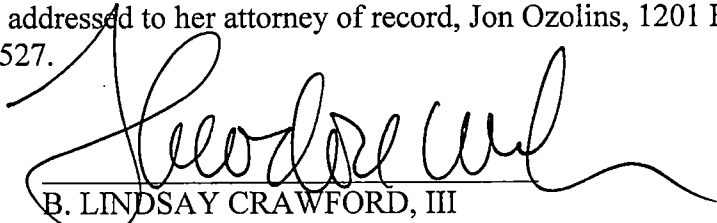
v.

Janet M. Smith, Portfolio Appellant.
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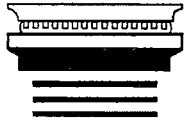
PROOF OF SERVICE

I certify that I served the foregoing Motion for Extension of Time to Serve and File Respondent's Initial Brief in this case by depositing a copy of it in the United States Mail, postage prepaid, on July 31, 2019, addressed to her attorney of record, Jon Ozolins, 1201 B Creel Street, Wing A-1, Conway, SC 29527.

July 31, 2019



B. LINDSAY CRAWFORD, III
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ATTORNEYS FOR RESPONDENT



CRAWFORD & VON KELLER, LLC

July 31, 2019

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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 Respondent's Initial Brief** in the above referenced matter. Please file the original and return a clocked copy in the enclosed envelope. The filing fee has already been paid.

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