

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Master in Equity

Case No. 2007-CP-46-4305

RECEIVED

MAR 05 2013

S.C. SUPREME COURT

SunTrust Mortgage, Inc, Respondent,

v.

Mark Ostendorff, Petitioner.

MOTION FOR PERMISSION TO FILE LATE RETURN TO PETITION

RECEIVED

MAR 05 2013

SC Court of Appeals

Brian S. Tatum, Esquire
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Attorney for Respondent

COMES NOW SunTrust Mortgage, Inc. ("Respondent"), by and through its counsel, and hereby files its Motion for Permission to File Late Return to Petition and shows this honorable court in support thereof as follows:

1. On or about January 17, 2013, Mark Ostendorff filed his Petition for Writ of Certiorari (the "Petition").
2. The Petition, however, fails to comply with Rule 267, SCACR in that the paragraphs are not double spaced, the font appears to be less than 12 points, and the left margin is less than 1 ½ inches.
3. Counsel for Respondent thought that because of the above defects, the Clerk of this Court would not accept the Petition pursuant to Rule 267(f); and thus, the timeframe for responding had not yet started.
4. Counsel for Respondent did not know that the Clerk of this Court had accepted the petition until he received a call from someone at this Court on Friday, March 1, 2013.
5. Therefore, the undersigned counsel asks this honorable Court to allow the late filed Return to Petition.

March 4, 2013.

Respectfully Submitted,

TATUM LAW FIRM, PLLC



Brian Steed Tatum

Attorney for Respondent

S.C. State Bar No. 73975

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing MOTION was served upon the parties listed below by placing a copy of the same with the United States Postal Service, first-class postage prepaid, addressed as follows:

Mark Ostendorff
137 King Street
Central, SC 29630
Petitioner, pro se

March 4, 2013.

TATUM LAW FIRM, PLLC



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