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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
Ninth Judicial Circuit

Honorable Diane S. Goodstein, Circuit Court Judge

Case No.: 2012-CP-10-05887  
Appellate Case No. 2020-000162

Pinnacle Bank, as successor in interest to Bank of North Carolina, previous successor in interest to Harbor National Bank, Plaintiff,

v.

Anthony Whitfield and Cindy Whitfield, Defendants

Anthony Whitfield, Counterclaimant,

v.

David Swanson, Counterclaim Defendant

Of Whom Anthony Whitfield is the Appellant and David Swanson is the Respondent.

**RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER**

David W. Overstreet  
S.C. Bar No. 16965  
Steven R. Kropski  
S.C. Bar No. 101441

Michael B. McCall  
S.C. Bar No. 73028  
Earhart Overstreet LLC  
P.O. Box 22528  
Charleston, S.C. 29413

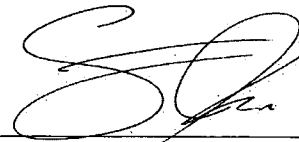
*Attorneys for Respondent David Swanson*

Date: July 9, 2020

Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondent David Swanson hereby moves to extend the time to file Respondent's Initial Brief and Designation of Matter to be included in the record on Appeal. Respondent moves for a thirty (30) day extension of time from the initial due date to make Respondent's Initial Brief due on or before August 14, 2020.

This is Respondent's first request for an extension. Appellant's counsel consents to this request.

WHEREFORE, Respondent respectfully requests that this Court grant Respondent an extension to file his initial brief and designate matters to be included in the record on appeal from July 15, 2020 to August 14, 2020.



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*Attorneys for Respondent David Swanson*

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Anthony Whitfield and Cindy Whitfield, Defendants

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v.

David Swanson, Counterclaim Defendant

Of Whom Anthony Whitfield is the Appellant and David Swanson is the Respondent.

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**PROOF OF SERVICE**

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I, Shelbi Brueckner, an employee of Earhart Overstreet LLC, paralegal for the attorneys for Respondent David Swanson certify that I served a copy of the attached *Respondent's Motion for Extension of Time to File Initial Brief and Designation of Matter* by depositing a copy of it in the United States Postal Service, postage prepaid, on July 9, 2020, addressed to Appellant's Counsel as addressed below:

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Daniel S. Slotchiver, Esquire  
Andrew J. McCumber, Esquire  
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Brent S. Halversen, Esquire  
Brent Souther Halversen, LLC  
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Jesse Sanchez, Esquire  
The Law Office of Jesse Sanchez, LLC  
98 ½ Broad Street, Suite B  
Charleston, SC 29401

This 9<sup>th</sup> day of July, 2020.



---

Shelbi Brueckner



**Earhart Overstreet**  
ATTORNEYS AT LAW

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PO Box 22528, Charleston, SC 29413

Steve@earhartoverstreet.com  
Direct: 843.972.9404

July 9, 2020

**VIA U.S. MAIL and FAX**

Jenny Abbott Kitchings, Clerk  
V. Claire Allen, Deputy Clerk  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211  
803-734-1839


**RECEIVED**  
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SC Court of Appeals

Re: Anthony Whitfield, Appellant v. David Swanson, Respondent  
Appellate Case No.: 2020-000162

Dear Ms. Kitchings and Ms. Allen:

Enclosed please find ***Respondent David Swanson's Motion for Extension of Time to File Initial Brief and Designation of Matter.*** The motion fee check has been mailed to your attention. Please do not hesitate to contact me with any questions or concerns.

Sincerely



STEVEN R. KROPSKI

SRK/shb  
Enclosures

cc: Daniel S. Slotchiver, Esquire (via U.S. mail only)  
Andrew J. McCumber, Esquire (via U.S. mail only)  
Brent S. Halversen (via U.S. mail only)  
Jesse Sanchez, Esquire (via U.S. mail only)



# Earhart Overstreet

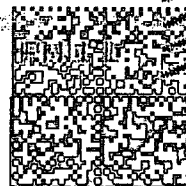
ATTORNEYS AT LAW

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Charleston, SC 29413

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