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**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**APPEAL FROM GREENVILLE COUNTY  
Master in Equity**

**The Honorable Charles B. Simmons, Master in Equity**

**RECEIVED**

**Appellate Case No. 2019-002047**

**Oct 26 2020**

**SC Court of Appeals**

Independence National Bank.....Respondent,

v.

Buncombe Professional Park, LLC and David Decarlis s/a David D. Decarlis,

Of Whom David Decarlis is the.....Appellant.

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**RETURN TO MOTION FOR EXTENSION OF TIME**

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Comes now, the Respondent, Independence National Bank, by and through its undersigned counsel, and files this Return to the Appellant, David Decarlis's ("Appellant" or "Decarlis") Motion for Extension of Time.

The Respondent does not oppose the late filing of the Record on Appeal as that Record is necessary for the Court's consideration of the pending Motion to Dismiss or in the Alternative for Expedited Treatment. Respondent, must, however oppose the late filing of Appellant's Final Brief as doing so is unnecessary seeing as the arguments contained therein are moot and Appellant's continual violation of the Rules has persisted throughout this and other appeals. Respondent believes that failure to abide by the Court's Rules is part and parcel of Appellant's overall tactic to delay the judicial process as much as possible and attempt to reach the ten year mark on the outstanding judgment held by the Respondent which it seeks to collect in this case. The

unexplained and singular “reason” Appellant provides for his noncompliance is also unavailing—  
“a clerical error.” Appellant’s burden to justify filing out of time is greater than he has attempted  
to carry, much less successfully carried.

Respectfully Submitted,

**SMITH HUDSON LAW, LLC**

s/ Joseph O. Smith

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*Attorneys for Respondent  
Independence National Bank*

October 26, 2020  
Greenville, South Carolina

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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RECEIVED

APPEAL FROM GREENVILLE COUNTY  
Master-In-Equity

Oct 26 2020

The Honorable Charles B. Simmons, Jr., Master in Equity

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SC Court of Appeals

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Appellate Case No. 2020-000490

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Independence National Bank.....Respondent,

v.

Buncombe Professional Park, LLC and  
David Decarlis s/a David D. Decarlis,  
Defendants,

Of whom, David Decarlis is the .....Appellant.

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**PROOF OF SERVICE**

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I certify that I have served the Respondent's Return to Appellant's Motion for Extension of Time on the above-named Appellant via electronic means per the Court's March 20, 2020 Order, on October 26, 2020, to counsel of record as follows.

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**Attorney for Appellants**

(Signature page to follow)

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