

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

OCT 22 2020

APPEAL FROM THE BEAUFORT COUNTY  
COURT OF COMMON PLEAS

SC Court of Appeals

HONORABLE BROOKS P. GOLDSMITH

CASE NO.: 2018-CP-07-00409

Gary Victory, Appellant,

vs.

Wells Fargo Bank, NA and  
Mortgage Contracting Services, LLC, Defendants.

Of Whom Mortgage Contracting Services, LLC is Respondent.

and

Mortgage Contracting Services, LLC, Respondent,

v.

Ryan Davis d/b/a Davis Home Preservation Defendant.

**NOTICE OF MOTION & MOTION FOR EXTENSION OF TIME TO  
FILE APPELLANT'S INITIAL BRIEF/DESIGNATION OF MATTER**

James H. Moss, Esquire  
MOSS, KUHN & FLEMING, P.A.  
Post Office Drawer 507  
Beaufort, South Carolina 29901-0507  
[843] 524-3373  
[843] 524-1302 FX  
[jim@mossandkuhn.com](mailto:jim@mossandkuhn.com)

Attorneys for Appellant

**NOTICE IS HEREBY GIVEN** that the Appellant, by and through his undersigned counsel, will move before this Honorable Court on the tenth day after service hereof, or as soon thereafter as counsel may be heard, for an *Order* allowing Appellant an extension of time within which to complete his work on, file and serve the *Appellant's Initial Brief and Designation of Matter* in the captioned appeal.

Appellant's counsel would assert that he has had insufficient opportunity to complete this work, due to the COVID-19 pandemic. Appellant would assert that no prejudice will result to the Respondent pursuant to this request.

MOSS, KUHN & FLEMING, P.A.

By: 

JAMES H. MOSS  
Counsel for Appellant

Beaufort, South Carolina

October 20, 2020

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Of Whom Mortgage Contracting Services, LLC is

Respondent.

and

Mortgage Contracting Services, LLC,

Respondent,

v.

Ryan Davis d/b/a Davis Home Preservation

Defendant.

CERTIFICATE OF SERVICE

Undersigned certifies that the **Appellant's Notice of Motion and Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter**, to which this certificate is affixed, was served upon the party (s) to this action by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

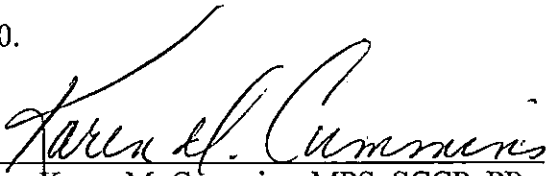
Kristen B. Fehsenfeld, Esquire  
Amanda K. Dudgeon, Esquire  
Chandler & Dudgeon, LLC

Post Office Box 547  
Charleston, South Carolina 29402

John P. Seibels, Jr., Esquire  
Seibels Law Firm, P.A.  
38 Broad Street, Suite 200  
Charleston, South Carolina 29401

in a post office or official depository under the exclusive care and custody of the United States  
Postal Service, on October 20, 2020.

By:

  
Karen M. Cummins, MPS, SCCP, PP

LAW OFFICES

MOSS, KUHN & FLEMING P.A.

JAMES H. MOSS  
H. FRED KUHN, JR.  
CORY H. FLEMING\*

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\*ALSO MEMBER OF GA BAR

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SC Court of Appeals

October 20, 2020

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Gary Victory v. Wells Fargo Bank, NA and Mortgage Contracting Services, LLC and  
Mortgage Contracting Services, LLC v. Ryan Davis d/b/a Davis Home Preservation  
Appellate Case No.: 2020-000128

Dear Clerk Kitchings:

Enclosed for filing is the original and seven (7) copies of the Notice of Motion and Motion for Extension of Time to File Appellant's Initial Brief/Designation of Matter and Certificate of Service. I have also enclosed our firm check in the amount of \$50.00 representing the filing fee in this matter.

Please file the enclosures and return a clocked copy to me in the enclosed self-addressed stamped envelope. By copy of this letter and the enclosures, I am serving a copy of the same on John P. Seibels, Jr., Esquire, Kristen B. Fehsenfeld, Esquire, and Amanda K. Dudgeon, Esquire.

With kindest regards, I am

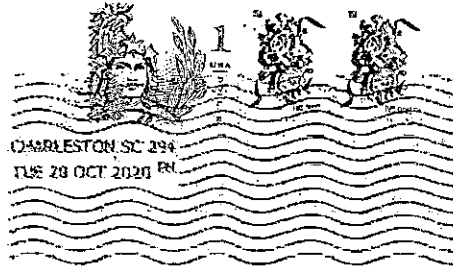
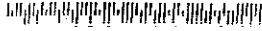
Very truly yours,

MOSS, KUHN & FLEMING, P.A.

James H. Moss

JHM:kmc  
Enclosures

C: John P. Seibels, Jr., Esquire (w/enclosures)  
Kristen B. Fehsenfeld, Esquire (w/enclosures)  
Amanda K. Dudgeon, Esquire (w/enclosures)



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To:

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