

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

67749

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable Edward B. Cottingham
Lexington County

RECEIVED
MAR 22 2013

SC Court of Appeals

Case No. 2011-197766

Deutsche Bank Trust Company Americas
As Trustee for RALI2007QS8,
H. Guy Gantt, Intervener,

Respondents,

v.

Janice Cross, South Carolina National Bank, N.A.,

Defendants,

Of Whom Janice Cross is

Appellant.

MOTION TO STAY TIME LIMIT FOR FILING FINAL BRIEF OF RESPONDENT

Appellee Deutsche Bank Trust Company Americas As Trustee for RALI2007QS8 (“Deutsche Bank Trust”) hereby moves to stay the time limit for filing its Final Brief of Respondent until this Court rules on its Motion to Strike the Record on Appeal. In support of its motion, Deutsche Bank Trust states as follows:

1. As noted in Deutsche Bank Trust’s Motion to Strike the Record on Appeal, on March 8, 2013, Appellant served a Record on Appeal that prejudices Deutsche Bank Trust by

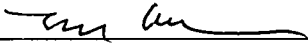
omitting numerous matters designated by Deutsche Bank Trust in its Designation of Matter. Appellant's proposed Record on Appeal prejudices Deutsche Bank Trust further by including numerous matters which were not presented to the trial court. Appellant's Record on Appeal violates this Court's rules regarding the contents of the Record on Appeal and the appellant's certification thereof.

2. Deutsche Bank Trust's final brief is currently due on March 28, 2013. However, in light of the extent to which Appellant's Record on Appeal violates this Court's rules, Deutsche Bank Trust is unable to properly proceed in a meaningful manner. For example, Deutsche Bank Trust cannot include references to the Record on Appeal when Appellant omitted certain matters properly designated by Deutsche Bank Trust. Also, Deutsche Bank Trust cannot respond to material provided in the Appellant's Record on Appeal, but provided in the lower court. Simply put, Deutsche Bank Trust cannot comply with the rules for final briefs until this Court rules on its Motion to Strike.

3. In light of these issues, Deutsche Bank Trust submits that the interests of justice would best be served if this Court stayed the time limit for filing the Final Brief of Respondent until it rules on the Motion to Strike the Record on Appeal.

WHEREFORE, Appellee Deutsche Bank Trust respectfully requests that this Court stay the time limit for filing the Final Brief of Respondent until it rules on the Motion to Strike the Record on Appeal.

Respectfully submitted this 21st day of March, 2013.



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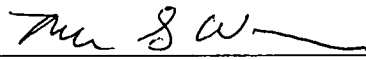
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion To Stay Time Limit For Filing Final Brief Of Respondent was deposited in the United States Mail, postage prepaid, and addressed as follows:

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H. Guy Gantt

This the 21st day of March 2013.



OF COUNSEL

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