

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
Dec 29 2020
SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
Gordon G. Cooper, Master-in-Equity

Appellate Case No. 2020-000454

U.S. Bank, NA, as trustee relating to the Chevy Chase Funding, LLC Mortgage Backed
Certificates, Series 2004-B,Plaintiff,

v.

Alyce F. Otto, Individually; Alyce F. Otto, Trustee Under Declaration of Trust of Alyce
F. Otto dated the 17th of November 2009; TD Bank, NA; The United States of America,
acting by and through its agency, the Internal Revenue Service; Laura Kerhulas Giese,
as Co-Trustee of the Theodore Ernest Kerhulas Trust Under Declaration of Trust dated
May 25, 2004; Mark Warner Kerhulas, as Co-Trustee of the Theodore Ernest Kerhulas
Trust Under Declaration of Trust dated May 25, 2004; Jackson L. Munsey, Jr.;
Citibank, NA,Defendants,

and

Alyce F. Otto, Trustee Under Declaration of Trust of Alyce F. Otto dated November
17, 2009.....Plaintiff,

v.

Jackson L. Munsey, Jr.....Defendant.

of whom Jackson L. Munsey, Jr., is the.....Appellant,

and

Alyce F. Otto, Individually; Alyce F. Otto, Trustee Under Declaration of Trust of Alyce
F. Otto dated the 17th of November 2009; Laura Kerhulas Giese, as Co-Trustee of the
Theodore Ernest Kerhulas Trust Under Declaration of Trust dated May 25, 2004; Mark
Warner Kerhulas, as Co-Trustee of the Theodore Ernest Kerhulas Trust Under
Declaration of Trust dated May 25, 2004 are the.....Respondents.

MOTION FOR EXTENSION OF TIME TO SERVE RECORD ON APPEAL

Appellant hereby moves pursuant to Rule 263(b), SCACR, for an extension to January 15, 2021, of the time in which to serve the record on appeal and file proof of service of the same. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. With assistance from counsel for Respondent Otto, the undersigned determined that the record on appeal he put together did not include some designated exhibits from a hearing that occurred in 2015, at a time when both Appellant and Respondent Otto were represented by different counsel than they are now.
2. It appears that neither of those parties' current counsel are in possession of copies of those exhibits. What the undersigned had thought were those exhibits were different documents, exhibits submitted by other parties at that hearing.
3. Accordingly, the undersigned needs to obtain copies of the designated exhibits in order to complete the record on appeal. The process of obtaining them has been slowed by the Christmas holidays.
4. Appellant asks for an extension of the deadline to serve the record on appeal and file proof of service of the same to January 15, 2020, to provide what he hopes will be ample time to obtain these documents and finalize the record on appeal.

5. This is the first extension sought of this deadline and will likely be the only one.
6. The undersigned has served this document on opposing counsel by email to registered AIS email address on the date given below.

WHEREFORE Appellant prays for an order extending the time in which to serve in which to serve the record on appeal and file proof of service of the same to January 15, 2021.

Respectfully submitted,

/s/ Andrew S. Radeker
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December 28, 2020

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PROOF OF SERVICE

I certify that I served the foregoing motion for extension in this case by providing a copy of it by email to opposing counsel at the email address(es) shown below and on the date shown below:

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Respectfully submitted,

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December 28, 2020