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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the 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 a 10-day extension 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. This court previously extended the deadline to serve the record on appeal in this case to today, to give counsel time to obtain documents that were designated but which counsel in this case do not have.
2. With assistance from a lawyer who was involved in this case years ago, the undersigned believes that he will be able to locate 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. Present counsel involved in this case do not have copies of these documents.
3. The attorney formerly involved in this case advises that she has requested these documents from storage and that she may have them as soon as today; however, they have not yet arrived.
4. Respondent Otto consents to this motion.
5. Accordingly, the undersigned requests this extension while he is waiting to obtain copies of the designated exhibits in order to complete the record on appeal.

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 by 10 days.

Respectfully submitted,

/s/ Andrew S. Radeker
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