

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**RECEIVED**

APPEAL FROM THE BEAUFORT COUNTY  
COURT OF COMMON PLEAS

MAR 10 2021

SC Court of Appeals

HONORABLE BROOKS P. GOLDSMITH

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CASE NO.: 2018-CP-07-00409  
APPELLATE CASE NO.: 2020-000128

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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,

Third Party Plaintiff,

v.

Ryan Davis d/b/a Davis Home Preservation,

Third Party Defendant,

Of Which Mortgage Contracting Services, LLC is

Respondent.

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

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**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**

The Appellant would respectfully request an extension of time within which to file the Initial Brief of the Appellant and the Appellant's Designation of Matter to be Included in the Record on Appeal. These matters are due to be filed no later than March 8, 2021. It is accordingly respectfully requested that the Appellant be granted an extension of time in which to file the Initial Brief and Designation of Matters to be Included in the Record on Appeal until March 22, 2021.

This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondent.

It is accordingly respectfully requested that the Appellant be granted until March 22, 2021 to file the Appellant's Initial Brief and the Appellant's Designation of Matter to be Included in the Record on Appeal.

MOSS, KUHN & FLEMING, P.A.

By: 

JAMES H. MOSS

Counsel for Appellant

Beaufort, South Carolina  
March 8, 2021

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Mortgage Contracting Services, LLC,

Third Party Plaintiff,

v.

Ryan Davis d/b/a Davis Home Preservation,

Third Party Defendant,

Of Which Mortgage Contracting Services, LLC is

Respondent.

---

CERTIFICATE OF SERVICE

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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 March 8, 2021.

By:  \_\_\_\_\_  
Sue Radford

LAW OFFICES

MOSS, KUHN & FLEMING P.A.

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

1501 North Street P.O. Drawer 507~Beaufort, South Carolina 29901-0507  
TELEPHONE 843-524-3373  
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\*ALSO MEMBER OF GA BAR

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MAR 10 2021

SC Court of Appeals

March 8, 2021

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

RE: Gary Victory v. Mortgage Contracting Services, LLC  
Appellate Case No.: 2020-000128

Dear Mrs. 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 and 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

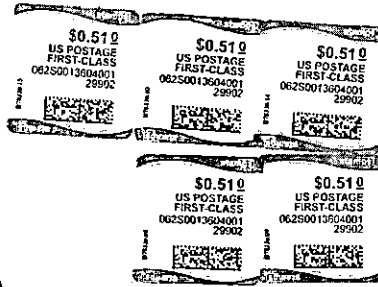
JHM:sr

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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SC Court of Appeals



MOSS, KUHN & FLEMING, P.A.

Jim

ATTORNEYS AT LAW  
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(843) 524-3373

V. King  
To:

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

