

Record/FILE ON DEMAND

Acceptance of Offer with full immunity AND WITHOUT RECOURSE! NBLB-20210909NLBWILM0801-COAPP-0002^o

THE REPUBLIC STATE OF South Carolina
In The Court of Appeals

RECEIVED

SEP 10 2021

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

SC Court of Appeals

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2020-001130
Common Pleas Case No.: 16-CP-18-1678

Wilmington Savings Fund
Society FSB as Trustee of
Stanwich Mortgage Loan Trust C.....Respondent,

v.

Nelson L. Bruce, et al.....Appellant.

**APPELLANT'S MOTION FOR LEAVE TO FILE AMENDED APPELLANT'S INITIAL
BRIEF, IN THE ALTERNATIVE MOTION FOR LEAVE TO ALLOW LATE FILING
AND MOTION FOR EXTENSION OF TIME TO FILE RECORD ON APPEAL**

Nelson L. Bruce, Propria Persona, Sui Juris
c/o 144 Pavilion Street
Summerville, South Carolina [29483]
(843) 437-7901
Appellant

September 9, 2021

Appellant hereby moves this Court for leave to file an “Amended Appellant Initial Brief” as requested in appellants “opposition to appellees motion to dismiss appeal (see...5-19-2021 App. Record page 15 of 16)” or in alternative, Leave to allow the late filing of appellant’s “initial reply brief” and an 30 day extension of time to file the “Record on Appeal.”

Appellant, hereby notifies this court in response to this courts letter dated September 2, 2021 regarding an alleged late filing of appellant’s initial reply brief. Under Rule 208 (a)(3) states in general that: If a reply brief is prepared, appellant shall, within ten (10) days after service of respondent's brief, serve one copy of the reply brief on all parties to the appeal and file with the clerk of the appellate court one copy of the reply brief with proof of service. But Rule 262(c) is vague as it appears that it does not properly define how service on the party is to be computed upon mailing nor does it define mailing. If the court defines mailing as placing the documents in the regular mail addressed to a party while the mailing service is still operating under their Covid-19 guidelines which causes mail delays and late deliveries (see...Exhibit – A filed with notice to the court dated 9-9-2021, copy of USPS COVID-19 notice that is attached to every receipt of mailing), this would affect the time a party has to fully review respondents full initial brief and file a reply brief and would be prejudicial to that party as he would not have the proper required time to timely review and respond. Appellant mailed his reply brief on Saturday, August 28, 2021 (constitutes as the date of mailing as Rule 262(a)(2) generally states: The date of filing shall be the date of mailing.), exactly 10 days from August 18, 2021 when he was served a copy of the respondent’s initial brief and therefore should be timely filed as Rule 262(a)(2) generally states: “The date of filing shall be the date of mailing.”

Rule 263 for computing the time specified under the above rules in general states that: The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state

or federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday. Therefore if the court received appellant's initial reply brief on 8-30-2021, it still constitutes as the 10th day because 8-28-2021 falls on a Saturday.

Leave is appropriate because as specified above on 5-19-2021, appellant had already notified the court that an amendment to his initial brief was needed specifying why as the court may have overlooked. This will not prejudice the appellees as they will have the opportunity to provide a supplemental response to appellant's amended initial brief. Should Leave to amend Appellant's Initial Brief be granted, appellant requests that he be extended the 20 days specified in his opposition to appellee's motion to dismiss appeal (see...5-19-2021 App. Record page 15 of 16) from the date the court grants leave to amend appellant's initial brief. Dated this 9th day of September, 2021.

RESPECTFULLY PRESENTED,

"Without Prejudice"

Nelson L. Bruce 9-9-21

THE BENEFICIAL OWNER OF THE CESTI QUI EQUITABLE TRUST

Nelson L. Bruce, Propria Persona, Sui Juris

All Natural Rights Explicitly Reserved and Retained

U.C.C. 1-207/1-308; 1.103.6

c/o 144 Pavilion Street, Summerville

South Carolina [29483]

Ph. 843-437-7901

Leonbruce81@yahoo.com

Record/FILE ON DEMAND

Acceptance of Offer with full immunity AND WITHOUT RECOURSE! NBLB-20210909NLBWILM0801-COAPP-0003^o

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

SEP 10 2021

SC Court of Appeals

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2020-001130
Common Pleas Case No.: 16-CP-18-1678

Wilmington Savings Fund
Society FSB as Trustee of
Stanwich Mortgage Loan Trust C.....Respondent,

v.

Nelson L. Bruce, et al.....Appellant.

PROOF OF SERVICE OF

I Nelson L. Bruce, Appellant, hereby certify that I served a copy of the foregoing, the NOTICE TO THE COURT OF APPEALS AND REQUEST FOR EXTENSION OF TIME TO FILE RECORD ON APPEAL, APPELLANT'S MOTION FOR LEAVE TO FILE AMENDED APPELLANT'S INITIAL BRIEF, IN THE ALTERNATIVE MOTION FOR LEAVE TO ALLOW LATE FILING AND MOTION FOR EXTENSION OF TIME TO FILE RECORD ON APPEAL, and Exhibit - A by depositing a copy of it in the United States Mail, postage prepaid under Priority Mail Addressed To:

ALBERTELLI LAW
Attention: William S. Koehler
1201 Main Street, Suite 1450
Columbia, South Carolina 29201
(803) 828-0880
Attorney for Respondent

Dated this 9th day of September, 2021.

RESPECTFULLY PRESENTED,

“Without Prejudice”

Nelson L. Bruce 9-9-21

THE BENEFICIAL OWNER OF THE CESTI QUI EQUITABLE TRUST

Nelson L. Bruce, Propria Persona, Sui Juris

All Natural Rights Explicitly Reserved and Retained

U.C.C. 1-207/1-308, 1.103.6

c/o 144 Pavilion Street, Summerville, South Carolina [29483]

Ph. 843-437-7901

Leonbruce81@yahoo.com

