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Apr 18 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Debra R. McCaslin, Circuit Court Judge

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Appellate Case No.: 2022-000087

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ARM Quality Builders, LLC d/b/a ARM Quality Builders,

Appellant,

vs.

First Citizens Bank,

Respondent.

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

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Pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules, Appellant and Third-Party Appellant moves this Court for an Order granting fifteen (15) days for the Appellant file and serve its initial brief and designation of matter in the above-captioned appeal. This request is being made due to counsel's present workload and other professional commitments. This is the Appellant's first request for an extension of time.

Appellant's initial brief and designation of matter is currently due on April 16, 2022. If the motion is granted, Appellant's initial brief and designation of matter will be due on May 2, 2022.

Counsel for the Appellant have consulted with counsel for Respondent, which they have consented to this fifteen (15) day extension. A copy of counsels' email exchange, confirming the extension, is attached hereto as Exhibit A.

DAVIS FRAWLEY, LLC

By: \_\_\_\_\_

  
James Randall Davis  
[randy@oldcourthouse.com](mailto:randy@oldcourthouse.com)  
140 East Main Street (29072)  
Post Office Box 489  
Lexington, South Carolina 29071  
Tel: (803) 359-2512  
**Attorney for Appellant**

April 18, 2022

Other Counsel of Record:  
William S. Brown, Esquire  
Samuel W. Outten, Esquire  
2 W. Washington Street, Suite 400  
Post Office Box 10084  
Greenville, SC 29603  
Attorneys for Respondent

# EXHIBIT A

**Nicole Price**

---

**From:** William Brown <william.brown@nelsonmullins.com>  
**Sent:** Monday, April 18, 2022 9:42 AM  
**To:** Nicole Price  
**Subject:** RE: Mazloom v. First Citizens

We consent to the extension.

**From:** Nicole Price <Nicole@oldcourthouse.com>  
**Sent:** Monday, April 18, 2022 9:37 AM  
**To:** William Brown <william.brown@nelsonmullins.com>  
**Subject:** RE: Mazloom v. First Citizens

I am going to ask for an extension of 15 days to file the Initial Brief and Designation of Matter in this case. This would make this due on May 1, 2022. Is this something you are opposed to, consent to, do not oppose, etc.? Thank you for your consideration in this matter.

Yours very truly,

James Randall Davis

Davis|Frawley

Post Office Box 489 (29071)  
140 East Main Street (29072)  
Lexington, South Carolina  
Tel: (803) 359-2512  
Fax: (803) 359-7478  
E-mail: [nicole@oldcourthouse.com](mailto:nicole@oldcourthouse.com)

\*\*\*\*\*  
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**From:** William Brown <william.brown@nelsonmullins.com>  
**Sent:** Thursday, February 17, 2022 9:05 AM  
**To:** Nicole Price <[Nicole@oldcourthouse.com](mailto:Nicole@oldcourthouse.com)>; Randy Davis <[Randy@oldcourthouse.com](mailto:Randy@oldcourthouse.com)>  
**Cc:** Sam Outten <[sam.outten@nelsonmullins.com](mailto:sam.outten@nelsonmullins.com)>  
**Subject:** RE: Mazloom v. First Citizens

Randy,

I just left you a message. I can talk between now and 11:00 a.m.

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**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Debra R. McCaslin, Circuit Court Judge

Appellate Case No.: 2022-000087

Ahmad Mazloom and ARM Quality Builders, LLC ..... Appellant.

v.

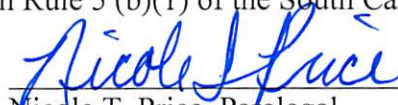
First Citizens Bank..... Respondent.

**PROOF OF SERVICE**

I, Nicole T. Price, a paralegal with the law firm of DAVIS | FRAWLEY, LLC, do hereby certify that I have served the following with the foregoing **MOTION FOR EXTENSION OF TIME TO FILE APPELLANT’S INITIAL BRIEF AND DESIGNATION OF MATTER**, by electronic mail and depositing the same in the United States mail, with sufficient postage attached thereto, to them at the following address:

William S. Brown, Esquire  
Samuel W. Outten, Esquire  
2 W. Washington Street, Suite 400  
Post Office Box 10084  
Greenville, SC 29603  
Attorneys for Respondent

on this 18<sup>th</sup> day of April, 2022 all in accordance with Rule 5 (b)(1) of the South Carolina Rules of Civil Procedure.

  
\_\_\_\_\_  
Nicole T. Price, Paralegal  
DAVIS | FRAWLEY, LLC  
140 East Main Street  
Lexington, South Carolina 29071  
ATTORNEYS FOR APPELLANT

Lexington, South Carolina

James Randall Davis  
Patrick J. Frawley  
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Matthew G. Rogers

**Of Counsel**  
George S. Nicholson, Jr.

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Attorneys at Law

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Hubert E. Long  
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(1931-2019)  
Since 1961

◊ American Board of Trial Advocates  
Δ Certified Circuit Court Mediator

April 18, 2022

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**SC Court of Appeals**

**VIA US MAIL AND ELECTRONIC MAIL**

South Carolina Court of Appeals  
Attn: The Honorable Jenny Abbott Kitchings  
Clerk of Court  
1220 Senate Street  
Columbia, South Carolina 29201

RE: Ahmad Mazloom and ARM Quality Builders, LLC v. First Citizens Bank  
Appellate Case No.: 2022-000087  
Our File No.: 30909

Dear Ms. Kitchings:

Attached, please find the Motion for Extension and Time to File Appellant's Initial Brief and Designation of Matter and Proof of Service in regards to the above referenced matter. By copy of this letter, I am serving counsel for the Respondent with the same. Please let me know if the Court requires anything further.

Sincerely,

  
Nicole I. Price  
Paralegal

cc: William S. Brown, Esquire  
Samuel W. Outten, Esquire  
2 W. Washington Street, Suite 400  
Post Office Box 10084  
Greenville, SC 29603  
Attorneys for Respondent