

NORTH CAROLINA COURT OF APPEALS

CHESTER TAYLOR III, RONDA and)	
BRIAN WARLICK, LORI MENDEZ,)	
LORI MARTINEZ, CRYSTAL PRICE,)	
JEANETTE and ANDREW)	<u>From Mecklenburg County</u>
ALESHIRE, KIMBERLY STEPHAN,)	No. 18-CVS-8266
KEITH PEACOCK, ZELMON)	
MCBRIDE,)	
)	
Appellants,)	
)	
v.)	
)	
BANK OF AMERICA, N.A.,)	
)	
Appellee.)	
)	

APPELLANTS' MOTION FOR EXTENSION OF
TIME TO FILE AND SERVE OPENING BRIEF

NOW COME Appellants, pursuant to Rule 27(c) of the North Carolina Rules of Appellate Procedure, and respectfully move this Court for a thirty-day extension of time in which to file and serve their opening brief in this action. In support of this Motion, Appellants respectfully show the Court as follows:

1. The appeal of this matter was docketed on 2 March 2020. The Appellants then requested a thirty-day extension. Accordingly, pursuant to Rule 13(a)(1) of the North Carolina Rules of Appellate Procedure, Appellants have until 1 May 2020 to file and serve their opening brief.

2. This is the second extension Appellants have requested.

3. Due to the current global COVID-19 pandemic, counsel have been forced to close their physical offices and are continuing to experience major disruptions to their practices.

4. The latest statewide Order from Chief Justice Beasley regarding COVID-19, entered on March 27, 2020, indicated that all deadlines in the appellate courts that fall between March 16 and April 30, inclusive of those endpoints, are automatically extended for sixty (60) days. Our deadline misses that timeframe by one day.

5. Further, Appellants' Petition for Discretionary Review by the North Carolina Supreme Court to bypass the Court of Appeals is still pending.

6. Appellants make this request in good faith and for good cause, and not for any improper purpose or delay.

7. Counsel for Appellee consent to the relief requested in this Motion.

WHEREFORE, Appellants respectfully request that the Court extend the time for filing and serving Appellants' opening brief by thirty days, up to and including 1 June 2020.

This 23th day of April 2020.

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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served the foregoing Appellants' Motion for Extension of Time to File and Serve Opening Brief upon all other parties to this cause as indicated below by electronic mail:

Date: 23th day of April 2020.

/s/ William C. Robinson
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