

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Branch Bank and Trust Company,)	C/A No.: 3:13-cv-01318-JFA
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Technology Solutions Inc.;)	
Cathy G. Lanier; and Randy D. Lanier,)	
)	
Defendants.)	
_____)	

Defendants Cathy G. Lanier and Randy D. Lanier, who are proceeding pro se, and Technology Solutions Inc.¹ (“Defendants”) have moved for an order from this court that would render moot the motions for summary judgment filed by Defendants and Branch Bank and Trust Company (“Plaintiff). ECF No. 56. Alternatively, Defendants seek more time to file a response to Plaintiff’s motion for summary judgment and more time to reply to Plaintiff’s response in opposition to Defendants’ motion for summary judgment. *Id.*

In this foreclosure case, Plaintiff has filed a motion for summary judgment, pursuant to Rule 56 of the Fed. R. Civ. P., on the grounds that there is no genuine dispute of material fact as to the matters raised in the Complaint and that Plaintiff is entitled to judgment as a matter of law. ECF No. 28. Defendants also have filed a motion for summary judgment against Plaintiff. ECF No. 24.

¹ On July 3, 2013, this court issued an order denying Defendant Cathy G. Lanier’s request to represent Technology Solutions Inc. pro se. ECF No. 19. While the court deemed Technology Solutions Inc. to have appeared in this case up to that point in time, meaning default judgment could not be entered against it by the Clerk of Court, it reminded defendants Cathy G. Lanier and Randy D. Lanier that Technology Solutions Inc. could not be represented pro se moving forward. *Id.*

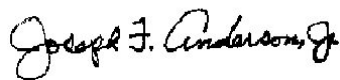
On August 6, 2013, this court granted Defendants' motion to extend the deadline to reply to Plaintiff's response in opposition to Defendants' motion for summary judgment. ECF No. 31. The new deadline is **September 5, 2013**. On that same date, this court set a deadline for Defendants' response to Plaintiff's motion for summary judgment. That deadline is **September 9, 2013**. In addition, because Defendants Cathy G. Lanier and Randy D. Lanier are proceeding pro se, the Clerk of Court sent them by mail an explanation of summary judgment procedure, as well as a copy of relevant excerpts from Rules 12 and 56 of the Federal Rules of Civil Procedure. ECF No. 32.

On August 29, 2013, in response to Defendants' request, this court entered an order reminding Defendants of the above-mentioned deadlines. ECF No. 54. In its order, this court pointed out that support for assertions made by Defendants must be through mechanisms allowed in the Federal Rules of Civil Procedure, including, but not limited to, affidavits and declarations under penalty of perjury under 28 U.S.C. § 1746. *Id.*

Accordingly, this court finds that Defendants' deadlines to reply to Plaintiff's response in opposition to Defendants' motion for summary judgment and to respond to Plaintiff's motion for summary judgment remain the same. This court denies Defendants' motion for ruling Plaintiff's and Defendants' motions for summary judgment moot, and it denies Defendants' motion for enlargement of time to respond.

IT IS SO ORDERED.

September 9, 2013
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge