

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Hon. Ernest J. Kinard, Judge
Hon. Carmen T. Mullen, Judge
Hon. Marvin H. Dukes, Master in Equity
Case No. 2012-206886

Micheal Walters

Appellant-Defendant

v.

Laura Leigh Walters and Jon K.
Walters, Jr., as adult children heirs
Successors and assigns of Jon K.
Walters, Sr., deceased


Respondents- Plaintiffs

MOTION TO FILE INITIAL BRIEF OUT OF TIME

The Appellant would, with leave of Court, move the Court, pursuant to SCRAP, Rule 224 to file the annexed Initial Brief out of time. This Motion is requested upon the grounds set forth in the Affidavit of Counsel in Support of the Motion.

Respectfully submitted,

The Houston Law Firm, LLC
31 Marshland Road
Hilton head island, SC 29926
Phone: 843-684-0211
E-mail: charles@houstonlawfirm.net

By: 
Charles E. Houston, Jr.
SC Bar # 2663
Attorney for the Appellant

June 5, 2012
Hilton Head Island, SC

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Page 1 of 3

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Hon. Ernest J. Kinard, Judge
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Case No. 2012-206886

Micheal Walters

Appellant-Defendant

v.

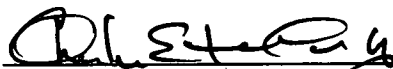
Laura Leigh Walters and Jon K.
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Successors and assigns of Jon K.
Walters, Sr., deceased

Respondents- Plaintiffs

AFFIDAVIT IN SUPPORT OF MOTION

Respectfully submitted,

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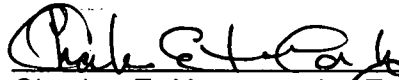
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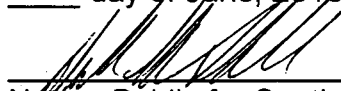
State of South Carolina
County of Beaufort

Personally appeared before me Charles E. Houston, Jr., Esq. who upon first being duly sworn deposes and says:

1. That I am the attorney of record for the Appellant pertaining to Appellate Case No. 2012-206886 an appeal from Beaufort County South Carolina Court of Common Pleas Case No. 2010- CP - 07-5777.
2. The Appellant's Initial Brief was due to be filed on May 28, 2013.
3. That I encountered disruption in my electrical service on May 27, 2013 that was restored on the afternoon of May 29, 2013. (See attached letter from palmetto Electric Cooperative dated may 29, 2013 that is attached as Exhibit# 1).
4. The power interruption caused my computer to crash and necessitated the services of a computer technician to reload the computer to make it operative.
5. Fortunately, most of the document materials on the computer were able to be saved but others had to be redrafted. This necessitated the additional time needed to complete the Initial Brief.
6. That I am informed and believe that no prejudice would be incurred by any party for the relief respectfully requested.
7. That I have read this Affidavit and am familiar with the contents stated therein and have retained a copy of the same in my possession.


Charles E. Houston, Jr., Esq.
Attorney for Appellant

Sworn to before me this
5 day of June, 2013.


Notary Public for South Carolina
My commission expires: 2/2/19





111 Mathews Drive P.O. Box 23619 Hilton Head Island, SC 29925-3619 843-681-5551

May 29, 2013

Charles Houston
31 Marshland Rd
Hilton Head Island SC 29926

Re: 192862-001

Dear Mr. Houston:

Your power will be restored this afternoon.

Sincerely,

A handwritten signature in black ink that reads "Michelle Tyler". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michelle Tyler
Hilton Head District Collections Manager

