

January 9, 2023

VIA EMAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

Jan 09 2023

SC Court of Appeals

Re: LB PARK, LLC v. San Juan Holdings, Brett Osborne trustee, et al.;
C.A. No.: 2020-CP-46-00549;
Appellate Case No.: 2022-001650.

Dear Ms. Kitchings:

I am in receipt of your December 30, 2022 letter requesting clarification on whether or not a transcript has been ordered for this appeal. The answer to your inquiry is that NO transcript was needed for this appeal so NO transcript was ordered. I informed the plaintiff/respondent that I did not plan to order a transcript in the letter that I mailed to them along with my Notice of Appeal. I never heard anything back from their attorney of record informing me that they would need a transcript, so I did not order one.

Because I could not contact anyone in your office during the Court's five day holiday break, that I was unaware of at that time, I made the following incorrect assumptions: 1) that my motion for an extension of time to file my initial brief had to be heard and decided before its deadline was reached; and 2) that a motion for an extension of the brief page limit is an administrative matter that could be made in an informal letter to you.

However, on December 28th when the Court reopened, I was informed by Sierra that I could act as if my motion for an extension of time to file my brief would be granted and that a motion for an extension on the page limited needed to be a formal motion that goes to the Court.

Accordingly, on December 28th I took the following three actions: 1) I timely filed and served my initial brief; 2) I withdrew my no longer needed motion for an extension of time, that included an informal motion for an extension on my brief page limit; and 3) I filed and served a formal motion to the court to extend the page limit for my brief.

In summary, no transcript has been ordered, my initial brief was timely filed and served, my informal motion to you has been withdrawn, and there is presently a motion to the court for an extension of the page limit for my brief.

Sincerely,

/s Ryan Powell
Ryan Powell, Appellant

cc: Sarah P. Spruill, attorney for Respondent served by mail with a copy of this letter.