
MURRAY LAW GROUP, LLC

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- Family Law / Divorce
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- Probate

January 31, 2023

RECEIVED

Jan 31 2023

SC Court of Appeals

VIA U.S. MAIL & E-MAIL

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

RE: Thomas Long vs. Timothy Kettner
Appellate Case No. 2022-001004

Dear Ms. Kitchings:

After filing a Motion for Extension of Time to Respond on January 30, 2023, I received correspondence via email with Respondent's Motion to Serve Initial Brief Out of Time and Amended Proof of Service. We have enclosed the email and the attachments for your review. Both documents contain the wrong case number. Additionally, Respondent's Counsel's Amended Proof of Service falsely states that the Respondent's Initial Brief, Designation of Matters to be Included on Appeal and Motion to Serve Initial Brief Out of Time were served via email on January 30, 2023. The only attachments to Respondent's email on January 30, 2023 were the Respondent's Motion to Serve Initial Brief Out of Time and Amended Proof of Service. The brief was not included nor was the designation.

This is the second time Respondent's counsel has failed to serve his brief properly. See Appellants Motion for Extension on January 30, 2023 and cover letter dated the same.

The Appellants have again been forced to absorb the costs associated with Respondents' counsel's error, and we would ask the court to consider awarding Appellants costs associated with correcting their errors. If you have any questions, or require anything further from me or Mr. Bellamy, please do not hesitate to contact us.

[Signature Page to Follow]

Sincerely,

s/Michael S. Harrison, Esq.

Michael S. Harrison, Esq.

SC Bar # 100462

Murray Law Group, LLC

4214 Mayfair Street, Suite B

Myrtle Beach, SC 29577

(843) 445-9933

Attorney for Appellants

s/Howell Bellamy, Esq.

Howell Bellamy, III, Esq.

SC Bar #66575

Bellamy Law Firm

1000 29th Avenue North

Myrtle Beach, SC 29577

(843) 448-2400

Attorney for Appellants

MSH/mn

Enclosures: as stated

Cc: Tucker S. Player, Esq.

Mickey Necessary

From: Michael Harrison
Sent: Tuesday, January 31, 2023 10:05 AM
To: Mickey Necessary
Subject: FW: Long v. Kettner
Attachments: Motion to serve brief OOT.pdf; Appeal pos.pdf

From: Tucker Player <tucker@playerlawfirm.com>
Sent: Monday, January 30, 2023 1:53 PM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: Michael Harrison <michaelharrison@murraylaw.info>; Ronnie Richter <Ronnie@blandrichter.com>; Scott Mongillo <Scott@blandrichter.com>; Bellamy III, Howell V. <HBellamyIII@bellamylaw.com>
Subject: Long v. Kettner

Tucker S. Player
Player Law Firm, LLC
512 Village Church Drive
Chapin, SC 29036
ph: 803-772-8008
fx: 803-772-8037
email: tucker@playerlawfirm.com

The secret of freedom lies in educating people, whereas the secret of tyranny is in keeping them ignorant.

The information in this message is protected by the Attorney Client Privilege and/or Attorney Work Product Doctrine and is intended only for the use of the individual(s) named above. This message should not be forwarded without my permission. If this message is received in error or otherwise by someone other than the addressee, please contact me at the above number(s) and return the message or destroy it.

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Jan 30 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
The Honorable Steven H. John

Appellate Court Case 2022-000513

Thomas Wade Long and Clyde Kiser, individually,
And on behalf of TNW and More, LLC, Respondents,

v.

Timothy D. Kettner, Donald Kettner, and TNT and
More, Inc., d/b/a Crab Catchers on the Waterfront, Defendants, of whom Donald
Kettner, and TNT and More, Inc., d/b/a Crab Catchers on the Waterfront are Appellants.

Motion to Serve Initial Brief Out of Time

Respondent received the motion for an extension of time from Appellants today and first learned of the service issue. Upon reviewing the filing email, I discovered that I did not copy counsel on the filing email on January 6, 2023. Therefore, the Proof of Service was inaccurate and I am filing a new Amended Proof of Service contemporaneously with this Motion.

The failure to serve the initial brief was merely an oversight that has now been corrected. Respondents consent to any extensions of time needed by Appellant needed to correct this error. Respondent respectfully requests that the Court allow the service out of time.

This 30th day of January, 2023

/s/Tucker S. Player (S.C. Bar No. 16217)
PLAYER LAW FIRM
1415 Broad River Rd.
Columbia, SC 29210
(803) 772-8008

Attorney for Respondents

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Jan 30 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
The Honorable Steven H. John

Appellate Court Case 2022-000513

Thomas Wade Long and Clyde Kiser, individually,
And on behalf of TNW and More, LLC, Respondents,

v.

Timothy D. Kettner, Donald Kettner, and TNT and
More, INC., d/b/a Crab Catchers on the Waterfront, Defendants, of whom Donald
Kettner, and TNT and More, INC., d/b/a Crab Catchers on the Waterfront are Appellants.

Amended Proof of Service

The undersigned hereby affirms that a copy of Respondents' Initial Brief, Designation of
Matters to be Included on Appeal, and Motion to Serve Initial Brief out of Time were served by
emailing a copy of the motion to opposing counsel at the following addresses:

Michael Harrison
Murray Law Group, LLC
michaelharrison@murraylaw.info

Howell Bellamy, III
Bellamy Law Firm
hbellamyiii@bellamylaw.com

Ronald Richter
Bland Richter, LLP
Scott@blandrichter.com

This 30th day of January, 2023

Tucker S. Player (S.C. Bar No. 16217)
PLAYER LAW FIRM
1415 Broad River Rd.
Columbia, SC 29210
(803) 772-8008

Attorney for Respondents

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Jan 31 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Steven H. John, Circuit Court Judge

Appellate Case Number 2022-001004

Thomas Wade Long and Clyde Kiser, Individually and on behalf of TNW
and More, LLC, Respondents,

v.

Timothy D. Kettner, Donald Kettner, and TNT and More, Inc., d/b/a Crab
Catchers on the Waterfront, Defendants,

Of whom Donald Kettner and TNT and More, Inc., d/b/a Crab Catchers on the
Waterfront, are Appellants.

PROOF OF SERVICE

I certify that I have served Appellants' Correspondence dated January 31, 2023 with attachments on the Respondents, by depositing a copy of it in the United States Mail, Postage Prepaid, on January 31, 2023, addressed to their attorney of record, Tucker S. Player, Player Law Firm, 512 Village Church Drive, Chapin, SC 29036 and by electronic mail.

January 31, 2023

s/Michael S. Harrison
Michael S. Harrison, Esq.
SC Bar #100462
Murray Law Group, LLC
4214 Mayfair Street, Suite B
Myrtle Beach, SC 29577
(843) 445-9933
Attorney for Appellants