

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
Appellate Case No. 2012-212341

APPEAL FROM RICHLAND COUNTY
The Honorable Joseph M. Strickland, Master-In-Equity

Karl A. Daskocil and John M. Daskocil, of whom Karl
A. Daskocil is Plaintiff-Appellant, Appellant.

v.

Patricia Gail D. Culp, Trustee of Karl V. Daskocil Trust
U/A/D December 14, 1995, Respondent.

- COPY -
1/30/2013

MOTION FOR EXTENSION OF TIME

I respectfully request the time for submittal of the initial brief and designation of matter
be extended by 30 days. Grounds:


In response to my telephone inquiry, I was informed that the Order granting my previous
request was mailed to me two days ago (1/28/13); however, I have not received that reply as of
today.

I am still awaiting file notes and documents requested from previous Counsel in the
referenced case and, via telephone and Email, have recently renewed previous urgent requests for
the information. These notes and documentation are central to my appeal of the unanticipated
sua sponte dismissal of my case, which I had no knowledge of until after the Order was filed.

As an alternative, I have also made recent request to the lower court for select
documentation regarding communication(s) from the Judge in order to assure accuracy of my
appeal brief.

I have enclosed the required \$25.00 filing fee for this motion, and have served a copy upon Robert G. Rikard, Attorney for Respondent, via U.S mail at the address indicated below.

Thank you for your consideration of this request.

Signature: -COPY-  January 30, 2013

Karl A. Doskocil
3009 W. San Nicholas
Tampa, FL 33629
(813) 326-4258
Appellant, Pro se

Cc: Robert G. Rikard
1329 Blanding Street
Columbia, SC 29201
(803) 978-6111
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
Appellate Case No. 2012-212341

APPEAL FROM RICHLAND COUNTY
The Honorable Joseph M. Strickland, Master-In-Equity

Karl A. Duskocil and John M. Duskocil, of whom Karl
A. Duskocil is Plaintiff-Appellant, Appellant.

v.

Patricia Gail D. Culp, Trustee of Karl V. Duskocil Trust
U/A/D December 14, 1995, Respondent.

MOTION FOR EXTENSION OF TIME

-COPY-
12/12/2012

I respectfully request an extension of time for submittal of the initial brief and designation of matter to be included in the record on appeal until January 30. Grounds:

Despite diligent good-faith efforts, I have not yet received necessary file notes and documentation requested from previous counsel in the referenced case. These notes and documentation are central to this appeal.

Additionally, I am awaiting clarification of the timing and circumstances, including the roles of participants and counsel at that moment, as these relate to the Judge's instructions for significant deletions from two draft Orders that had been submitted for his signature; and which, instead, resulted in the surprise sua sponte Order for dismissal pursuant to Rule 41(b) SCRPC (all unknown to me until after the resulting Order was filed).

Unexpected medical issues leading up to and including an extended hospital stay, in November, also factor into this request.

I have enclosed the required \$25.00 filing fee for this motion, and have served a copy upon Robert G. Rikard, Attorney for Respondent, via U.S mail at the address indicated below.

Signature: -COPY-  December 12, 2012

Karl A. Doscocil
3009 W. San Nicholas
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(813) 326-4258
Appellant, Pro se

Cc: Robert G. Rikard
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(803) 978-6111
Attorney for Respondent

Karl A. Duskocil
3009 W. San Nicholas
Tampa, FL 33629

October 14, 2012

South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

— COPY —
10/14/2012

Re: Request for extension of time.
Karl Duskocil v. Patricia Culp - Appellate Case No. 2012-212341

I respectfully request a 60-day extension for submittal of my initial brief and designation of matter to be included in the record on appeal in the above matter. I have not requested previous extensions of time. Please find my enclosed money order in the amount of \$25.00 for payment of the required filing fee.

I need more time since I am awaiting responses to urgent requests for documents and clarification of the circumstances directly relating to the draft, submittal, and basis for the Court's unanticipated sua sponte Order dismissing of the underlying Trust case; and for additional reasons as follows:

Most pertinent to this request for extension: Despite my multiple specific requests for reasons or any criteria considered by the Judge in exercise of his discretion, none were provided. This has presented unique challenges and has necessitated an extensive search of documentation and the record.

As a newly *pro se* appellant, the Judge's lack of guidance in his Order and subsequent communication, even as to justifications or proper applicability of Rule 41(b) in this instance, has hindered my ability and prolonged my effort to draft a comprehensive appeal. Since the record shows no failure of me (as Plaintiff) to comply with any Order of the Court, and the only contumacious behavior has been the Defendant Trustee's, including disregard for Courts' Orders and for the repeated requests of Plaintiff trust beneficiaries when asking for information necessary to fully prosecute the case and protect their interests; the effort to blindly discern the applied reasoning for sanction against me, through an extraordinary review of all available documents, is immediately more challenging than could be expected.


The Judge's one-paragraph dismissal was nested within a separate Order (three sentences, one provided entirely by opposing counsel). I was unaware of the Order until after it was filed; so I had no prior basis for an understanding of its merit. In fact, the dismissal portion of the referenced Order appears in conflict with recent on-record indications by the Court as to remanding of the case for trial by jury.

Without any hint as to the Court's reasoning, I am left to awkward conjecture both as to the basis for discretion exercised and as to necessary supporting documentation, arguments, and applicable citations to offer to the Appeals Court for its fair evaluation of my appeal. ...As a result, extraordinary time and effort has been required for case law research and in efforts to retrieve all documents in my own possession along with everything in the record that may have any possible relevance. Further, I am awaiting response from former Counsel regarding information and documents in attorney files or archive, and for specifics relating to the Judge's instructions for preparation of the surprise Order, which was issued without any warning, findings of fact, relevant motion, or opportunity to present evidence; any of which would dramatically speed effective draft of an appeal.

Lastly, but quite significantly; activity in a related case has recently and unavoidably demanded my attention and presence. (I now live out-of-state.)

Regrettably, all of this, added to concerns for familiarity and adherence to format and other requirements for pro se appeal, has been more time consuming than I could have anticipated; and I beg your favorable consideration of my request.

Sincerely,

-COPY- 

Karl Duskocil
Appellant/Plaintiff, pro se

Cc: Robert G. Rikard