

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

THE HONORABLE MAITE MURPHY
CASE NUMBER: 2020-CP-07-00829
APPELLATE CASE NUMBER: 2023-001278

RECEIVED

Nov 06 2023

SC Court of Appeals

CAROL JENKINS JACKSON AND
JUDY SHARON JENKINS WATKINS.....Appellants.

v.

MICHAEL F. RIVERS, R.M. LAPP, TRUSTEE FOR THE ST. HELENA ASSETT TRUST, HEIRS OF HARRISON RIVERS, HEIRS OF OPHELIA RIVERS, HEIRS OF HAROLD W. RIVERS, HEIRS OF RACHAEL CHISHOLM, HEIRS OF FLORENCE C. PARKER, HEIRS AT LAW OF REUBEN M. CHISHOLM, AND ALSO VERNELL I. SMASHUM, BARBARA MCCLARKING, BEVERLY J. SCOTT, AMOS WILLIAMS, CLIFFORD HUFF, SANDRA MACK-HUFF, TRUSTEE FOR THE MARGARET LOYD SUMPTER TRUST DATED AUGUST 30, 2002, JOSEPH A. MOORE ALL OF WHOM ARE BELIEVED TO BE ADJACENT LANDOWNERS AND ARE MADE DEFENDANTS IN THIS ACTION, AND ALSO ALL OTHER PERSONS UNKNOWN HAVING OR CLAIMING TO HAVE ANY RIGHT, TITLE, ESTATE, INTEREST IN OR LIEN UPON THE REAL PROPERTY OR ANY PART THEREOF DESCRIBED IN THE COMPLAINT HEREIN, AS JOHN DOE AND MARY ROE, INCLUDING ALL PERSONS WHO MAY BE DECEASED, MINORS, IN THE MILITARY SERVICE OF THE UNITED STATES WITH THE MEANING OF TITLE 50 UNITED STATES CODE, REFERRED TO AS THE SERVICEMEMBERS CIVIL RELIEF ACT, AS AMENDED, PERSONS ON COMPOS MENTIS AND UNDER ANY OTHER DISABILITY.

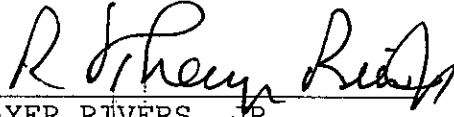
OF WHOM MICHAEL F. RIVERS IS THE.....RESPONDENT.

**MOTION TO FILE INITIAL BRIEF
OUT OF TIME**

The Appellants hereby move to file their Initial Brief out of time. This motion is based upon the following:

1. That the Appellants' attorney was out of the country September 28, 2023 through October 13, 2023 and October 20, 2023 through October 28, 2023. As such, Appellants' attorney was unable to read the transcript (252 pages) and prepare the Initial Brief prior to leaving for vacation.

2. That the Appellants request that they be permitted to file their Initial Brief out of time.



R. THAYER RIVERS, JR.
Law Office of R. Thayer Rivers, Jr.
Post Office Box 668
Ridgeland, South Carolina 29936
(843) 726-8136
SC Bar Number: 4754
Attorney for the Appellant

November 6, 2023

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

THE HONORABLE MAITE MURPHY
CASE NUMBER: 2020-CP-07-00829
APPELLATE CASE NUMBER: 2023-001278

RECEIVED

Nov 06 2023

SC Court of Appeals

CAROL JENKINS JACKSON AND
JUDY SHARON JENKINS WATKINS.....Appellants.

v.

MICHAEL F. RIVERS, R.M. LAPP, TRUSTEE FOR THE ST. HELENA ASSETT TRUST, HEIRS OF HARRISON RIVERS, HEIRS OF OPHELIA RIVERS, HEIRS OF HAROLD W. RIVERS, HEIRSO F RACHAEL CHISHOLM, HEIRS OF FLORENCE C. PARKER, HEIRS AT LAW OF REUBEN M. CHISHOLM, AND ALSO VERNELL I. SMASHUM, BARBARA MCCLARKING, BEVERLY J. SCOTT, AMOS WILLIAMS, CLIFFORD HUFF, SANDRA MACK-HUFF, TRUSTEE FOR THE MARGARET LOYD SUMPTER TRUST DATED AUGUST 30, 2002, JOSEPH A. MOORE ALL OF WHOM ARE BELIEVED TO BE ADJACENT LANDOWNERS AND ARE MADE DEFENDANTS IN THIS ACTION, AND ALSO ALL OTHER PERSONS UNKNOWN HAVING OR CLAIMING TO HAVE ANY RIGHT, TITLE, ESTATE, INTEREST IN OR LIEN UPON THE REAL PROPERTY OR ANY PART THEREOF DESCRIBED IN THE COMPLAINT HEREIN, AS JOHN DOE AND MARY ROE, INCLUDING ALL PERSONS WHO MAY BE DECEASED, MINORS, IN THE MILITARY SERVICE OF THE UNITED STATES WITH THE MEANING OF TITLE 50 UNITED STATES CODE, REFERRED TO AS THE SERVICEMEMBERS CIVIL RELIEF ACT, AS AMENDED, PERSONS ON COMPOS MENTIS AND UNDER ANY OTHER DISABILITY.

OF WHOM MICHAEL F. RIVERS IS THE.....RESPONDENT.

PROOF OF SERVICE

I certify that I have served the Appellants' Motion to File Initial Brief Out of Time on the Respondent, Michael Rivers, by depositing a copy of same in the United States Mail, postage prepaid, on November 6, 2023, addressed to his attorney of record, H. Fred Kuhn, Jr., Esquire, Post Office Drawer 507, Beaufort, SC, 29901.

Law Office of R. Thayer Rivers, Jr.



R. THAYER RIVERS, JR.

Post Office Box 668

Ridgeland, South Carolina 29936

(843) 726-8136

SC Bar Number: 4754

Attorneys for the Appellant

November 6, 2023