

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

**APPEAL FROM HORRY COUNTY
ALAN D. CLEMMONS, MASTER-IN-EQUITY**

**Appellate Case No. 2023-001416
Lower Court Case No. 2021-CP-26-00252**

United States of America acting through the
Rural Housing Service or successor agency,
United States Department of Agriculture, Appellant

v.

Ginger S. Smith, As Personal Representative of
The Estate of Yvonne Curtis Ingram, Deceased;
Charles Curtis Ingram; Chadwick Benjamin Ingram,
and any other Heirs-at-Law or Devisees of Yvonne Curtis Ingram,
deceased, their heirs, Personal Representatives,
Administrators, Successors and Assigns, and
all other persons entitled to claim through them;
all unknown persons with any right, title or interest
in the property subject of this matter;
also any persons who may be in the military service of the
United States of America, being a class
designated as John Doe; and any unknown minors
or persons under a disability being a class
designated as Richard Roe..... Respondents

**MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF OF APPELLANT
UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING
SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF
AGRICULTURE AND DESIGNATION OF MATTER**

Appellant United States of America acting through the Rural Housing Service or successor
agency, United States Department of Agriculture (hereinafter “Appellant”) by and through its
undersigned counsel respectfully requests a 30 day extension of time or until December 15, 2023
to file the Initial Brief and Designation of Matter for Appellant which is currently due on

November 20, 2023. The request is based on counsel's and their staffs' workload demands, other commitments, and issues encountered in obtaining the Transcript of Hearing.

Prior to filing this Motion, counsel for Appellant consulted with the Guardian ad Litem for Respondents John Doe and Richard Roe and he consented to same.

s/ Jamie Anna Weller
Taylor A. Peace
Jamie Anna Weller
HARRELL, MARTIN & PEACE, P.A.
135 Columbia Avenue
Chapin, South Carolina 29036
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ATTORNEYS FOR APPELLANT

November 15, 2023

Other counsel of record:

Thomas D. Kilpatrick
Murphy & Kilpatrick, LLP
2512 Devine St.
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Phone: (803) 254-7091
tkilpatrick@murphykilpatrick.com
Guardian *ad Litem* for Respondents John Doe and Richard Roe

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Nov 15 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
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APPEAL FROM Horry County
ALAN D. CLEMMONS, MASTER-IN-EQUITY

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also any persons who may be in the military service of the
United States of America, being a class
designated as John Doe; and any unknown minors
or persons under a disability being a class
designated as Richard Roe..... Respondents

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time to File Initial Brief of Appellant United States of America Acting through the Rural Housing Service or Successor Agency, United States Department of Agriculture and Designation Of Matter by depositing a copy of it in the United States Mail, postage prepaid on November 15, 2023, addressed to the court appointed guardian *ad litem* for Respondents John Doe and Richard Roe, Thomas D. Kilpatrick, Murphy & Kilpatrick, LLP, 2512 Devine Street, Columbia, South Carolina 29205 and Respondent Ginger S. Smith, as Personal Representative of the Estate of Yvonne Curtis Ingram, deceased, 288 W. Eleventh Street, Winnsboro, South Carolina 29180, Respondent Charles Curtis Ingram, 507 Sims Drive, Myrtle Beach, South Carolina 29577, Respondent Chadwick Benjamin Ingram, 6443 Sevierville Pike, Knoxville, Tennessee 37920, and Respondents any other Heirs-at-Law or Devisees of Yvonne Curtis Ingram, deceased, their heirs,

Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them, 507 Sims Drive, Myrtle Beach, South Carolina 29577

s/ Jamie Anna Weller
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ATTORNEYS FOR APPELLANT

November 15, 2023

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SC Court of Appeals



L.K. "Trey" Harrell, III
Jeremy C. Martin
M. Alan Peace **
Taylor A. Peace
Erik T. Norton
Jamie Anna Weller
George "Mick" Lusk, III

Robert W. Dibble, Jr. *
William Jennings (Bill) Buchanan *
Donald W. Tyler *
Thomas B. Jackson, III **

*Of Counsel
**Certified Mediator/Arbitrator

November 15, 2023

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: United States of America, acting through the Rural Housing Service or successor agency, United States Department of Agriculture, Appellant v. Ginger S. Smith, As Personal Representative of The Estate of Yvonne Curtis Ingram, Deceased; Charles Curtis Ingram; Chadwick Benjamin Ingram, and any other Heirs-at-Law or Devises of Yvonne Curtis Ingram, deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; all unknown persons with any right, title or interest in the property subject of this matter; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe, Respondents

Appellate Case No. 2023-001416
Our File Number: 2518.28507/TAP

Dear Ms. Kitchings:

Our office requested the Transcript of Hearing on September 22, 2023. Thereafter, we learned Court Administration did not have a record of the hearing. Subsequently we obtained the original Webex recording from Judge Clemmons' office on September 22, 2023 and forwarded same to Court Administration for transcription. Court Administration indicated it could not transcribe the hearing from the Webex recording and directed our office back to Judge Clemmons' office by email on September 26, 2023. Judge Clemmons' office indicated a transcript could not be provided and directed our office to contact Webex for any services available to obtain a transcript by email on September 26, 2023. Ultimately we obtained a Transcript of the Hearing from a private court reporter on October 20, 2023 and were able to download same on November 10, 2023.

It is my understanding we can submit the Webex hearing video, the Transcript of Hearing, and Record of Hearing, which together incorporates provides a complete record of the final hearing.

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Also, enclosed please find our Motion for Extension of Time to File Initial Brief of Appellants and Designation of Matter. We are providing our \$50.00 motion filing fee a copy of same by regular mail.

Please let me know if you have any questions and/or concerns. Your assistance is greatly appreciated.

Respectfully,

HARRELL, MARTIN & PEACE, P.A.



Jamie Anna Weller

Enclosure

Cc: South Carolina Office of Court Administration
Ginger S. Smith, as Personal Representative of the
Estate of Yvonne Curtis Ingram, deceased
Charles Curtis Ingram
Chadwick Benjamin Ingram
Any other Heirs-at-Law or devisees of Yvonne Curtis Ingram, deceased, their heirs,
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persons entitled to claim through them
Thomas D. Kilpatrick, Esq. Guardian *ad Litem*