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Dec 28 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Maite Murphy

Trial Court Case No.: 2020-CP-07-00829
Appellate Court Case No.: 2023-001278

Carol Jenkins Jackson and Judy Sharon Jenkins Watson, Appellants.

v.

Michael F. Rivers, R.M. Lapp, Trustee for St. Helena Asset Trust, Heirs of Harrison Rivers, Heirs of Ophelia Rivers, Heirs of Harold W. Rivers, Heirs of Rachel Chisholm, Heirs of Florence C. Parker, Heirs at Law of Rueben M. Chisholm, and also Vernell I. Smashum, Barbara McClarking, Beverly J. Scott, Amos Williams, Clifford Huff, Sandra Mack-Huff, a 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 Dor and Mary Roe, including all persons who may be deceased, minors, in the military service of the United States with the naming of Title 50 United States Code, referred to as the Service Members Civil Relief Act, as amended, persons Compos Mentis and any other disability, Defendants,

Of whom Michael F. Rivers is the Respondent.

MOTION FOR LEAVE TO FILE RESPONDENT'S INITIAL BRIEF
AND DESIGNATION OF MATTER OUT OF TIME

The Respondent would respectfully request leave to file Respondent's Initial Brief and Designation of Matter out of time. The Initial Brief and Designation of Matter is being filed

electronically contemporaneously with this Motion and the hardy copy is being placed in the mail today.

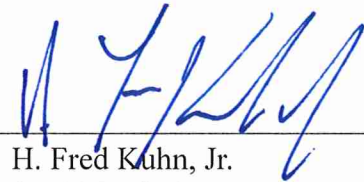
This motion is made upon the ground that the request to file out of time as requested would be in the best interest of justice and would not prejudice the any of the parties.

It is accordingly respectfully requested that the Respondent be allowed to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal out of time.

Respectfully submitted,

KUHN LAW FIRM, LLC

By: _____



H. Fred Kuhn, Jr.
1501 North Street
Post Office Drawer 507
Beaufort, South Carolina 29901
(843)524-3373

Attorney for the Respondent

Beaufort, South Carolina
December 28, 2023

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Of whom Michael F. Rivers is the Respondent.

CERTIFICATE OF SERVICE

Undersigned certifies that the Motion to File Brief Out of Time to which this certificate is affixed, was served upon the party (s) to this action by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed or by email to the attorney(s) of record:

R. Thayer Rivers, Jr., Esquire
Law Office of R. Thayer Rivers, Jr., Esquire
Post Office Box 668
Ridgeland, South Carolina 29936

in a post office or official depository under the exclusive care and custody of the United States
Postal Service, on December 28, 2023.

KUHN LAW FIRM, LLC

By:  _____
Sue Radford



**KUHN
LAW
FIRM
LLC**

H. FRED KUHN, JR. ESQUIRE
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Mr. Kuhn's Email: fred@mossandkuhn.com
Sue's Email: sue@mossandkuhn.com

December 28, 2023

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

RECEIVED
Dec 28 2023
SC Court of Appeals

RE: Carol Jenkins Jackson, et al. v. Michael F. Rivers, et al.
Appellate Court Case No.: 2023-001278

Dear Mrs. Kitchings:

Enclosed please find the Motion for Leave to File Respondent's Initial Brief and Designation of Matter Out of Time, Respondent's Initial Brief and Respondent's Designation of Matter to be Included in the Record on Appeal. Also enclosed is my firm's check in the amount of \$50.00 for the filing of the Motion.

With kindest regards, I am

Very truly yours,

H. Fred Kuhn, Jr.

HFKjr:sr
Enclosures

cc: R. Thayer, Rivers, Jr., Esquire