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Mar 25 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COURT OF APPEALS) IN THE COURT OF APPEALS
) NINTH JUDICIAL CIRCUIT
JOE CLEMONS) Case No. 2023-000460
Appellant,)
vs.)
) APPELLANT
WILLIAM S. HELMLY, PRESIDENT & CEO,) MOTION IN RESPONSE TO
) RESPONDENT'S AMENDED MOTION
HOME TELECOM COMPANY) TO DISMISS ON MARCH 21, 2024
)
(jointly)
and severally liable),)
Respondent,)

I Joe Clemons the Appellant is asking the court of appeals and Ms. Catherine S. Harrison to please forgive me for not getting my supplemental record on appeal in on time this past week. I was fully intending to get that supplemental record in on time, but I count up the days that I had to get those things in according to that letter that came from your office "stating that I had 20 days from the date of this letter which was February 28, 2024". So, when I counted the days up, I forgot about this year being a leap year, and I missed the deadline by one day so I'm asking this court to please forgive me and please receive my supplemental record on appeal. The respondent seems to be so gung-ho and passionate about dismissing this case but

don't want to remember that the only reason why I the appellant got to submit this supplemental record in the first place is because the appeals court clerk or someone granted or allow the respondent to request by a motion for me the appellant to submit that supplemental record over two week after the deadline of ten day was pasted concerning my record on appeal. I the appellant contacted and met with Jenny Abbott Kitchings about that very thing, but the respondent was still allowed to have his motion to be granted.

The respondent from the very beginning of these cases that started even at the lower court, all ways and only have one defend in this case and that is a dismissal and finding authorities to support made up scenarios with no proofs or facts.

So, I'm again asking this court to dismiss or not grant the respondent amended motion to dismiss. I'm also sending a copy of that letter about this very thing to Ms. Kitchings on 2-21-2024. Please see the attached letter.

Thank you for your consideration.

By: s/Joe Clemons, Pro Se

E-Mail: clemonswelding1@gmail.com

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Eutawville, South Carolina 29048

(843) 753-7007

STATE OF SOUTH CAROLINA)	
COURT OF APPEALS)	IN THE COURT OF APPEALS
)	NINTH JUDICIAL CIRCUIT
JOE CLEMONS)	Case No. 2023-000460
Appellant,)	
vs.)	
)	
WILLIAM S. HELMLY, PRESIDENT & CEO,)	A LETTER CONCERNING JENNY A.
)	KITCHINGS, CLERK’S LETTER OF
HOME TELECOM COMPANY)	STATUE OF LIMITATIONS,
(jointly))	REQUESTING THAT THE ORDER ,
and severally liable),)	FEBRUARY 07,2024 BE DISMISSED
Defendants.)	

On February 07, 2024, there was an Order from the court of appeals from A Judge L. H. Verdie (I cannot read the judge signature) that granted the respondent motion that states “RESPONDENT’S MOTION TO CORRECT RECORD ON APPEAL AND MOTION FOR EXTENSION OF TIME TO FILE FINAL BRIEF”. When I the appellant got that email copy of that motion, I contacted the court of appeals and discussed that motion with the Honorable Jenny Abbott Kitchings, and I complained about the time of that motion was passed, and it need to be dismissed. A couple of days later I the appellant got an email/letter from Ms. Jenny A. Kitchings sent to the respondent and appellant stating that the respondent had 10 days to respond to my record on appeal

but did not and cannot because the 10 days have expired. But the respondent looked over or rejected Ms. Jenny Kitchings letter of notice and proceeded and got the honorable Judge L. H. Verdie to grant that motion making the appellant unnecessarily to redo my record on appeal, because the respondent did not like the appellant submitted final brief. I submitted my record on appeal on December 15, 2023, on January 10, 2024, respondent filed a motion to correct my record on appeal. The order states that “no return was filed.” Well, I’m not sure what that statement means “no return was filed” but I the appellant did not get a notice about the motion was still being considered, because Ms. Jenny Kitchings had notified both of us that the statute of limitations was in place. So how could the appellant file a return? So, I’m requesting that this motion be dismissed and let it go to the appellate court for a decision. But and if this is not done, then this is favoritism or racism but certainly not being fair to both parties on the same principles of LAW. I the Appellant have talked to Ms. Jenny A. Kitchings and Ms. Jacqueline and other members of Ms. Kitching’s staff about this and no one is willing to do anything.

Thank you for your consideration.

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APPEALS

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SC Court of Appeals

JENNY ABBOTT KITCHINGS
Clerk

CATHERINE S. HARRISON
Deputy Clerk

Case No. 2023-000460

Joe Clemons,

Appellant,

v.

William S. Helmly, President & CEO,

Home Telecom Company

(jointly and severally liable),

Respondent.

PROOF OF
SERVICE

I certify that I have served the Appellant Motion in Response Respondent's Amended Motion to Dismiss on March 21, 2024 on William S. Helmly, President & CEO, Home Telecom Company (jointly and severally liable), to Turner Padgett Graham & Laney, P. A. Robert E. Kneece, III by email to Robert E. Kneece III, 40 Calhoun Street Suite 200 Charleston, SC 29401 on October 1, 2023.

s/Joe Clemons

Joe Clemons, Appellant, *Pro se*

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