

**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

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Apr 26 2024
SC Court of Appeals

**MOTION FOR PERMISSION TO SERVE AND FILE APPELLANT’S FINAL BRIEF
AND CERTIFICATION OF COUNSEL OUTSIDE OF THE FILING DEADLINES**

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 permission to serve and file Appellant’s Final Brief
outside of the filing deadlines.

On March 8, 2023, Appellant filed its Motion to Supplement Designation of Matter to be Included in the Record on Appeal and to Stay the Time to File the Record on Appeal and/or to File Same Out of Time which was granted by Order filed March 26, 2024 (“Order”). The Order provided the Record on Appeal was due within 30 days of the Order. Counsel for Appellant calendared the due date for the Record on Appeal and Final Brief for April 26, 2024 based upon her interpretation of the Order. The Record on Appeal and Amended Designation of Matter was thereafter served and filed on March 27, 2024. Appellant’s filed and served its Final Brief on April 24, 2024.

The request is based on counsel’s interpretation of the Order and the miscalculation of the final due date for Appellant’s Final Brief as a result thereof. Appellant is informed and believes Respondents will not be prejudiced by the extension requested herein as Respondents have not served and filed any responsive briefs. Counsel for Appellant has conferred with Thomas D. Kilpatrick, Esq. as the court appointed Guardian *ad Litem* for John Doe and Richard Roe and confirmed he has no objection to Appellant’s Motion.

s/ Jamie Anna Weller
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Jamie Anna Weller, Esq., SC Bar #105548
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ATTORNEYS FOR APPELLANT

April 26, 2024

Other counsel of record:

Thomas D. Kilpatrick
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Guardian *ad Litem* for Respondents John Doe and Richard Roe

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PROOF OF SERVICE

I certify that I have served the Motion For Permission To Serve and File Appellant’s Final
Brief and Certification Of Counsel Outside of the Filing Deadlines by electronic mail on April 26,
2024, addressed to the court appointed guardian *ad litem* for Respondents John Doe and Richard
Roe, Thomas D. Kilpatrick, Esq., Murphy & Kilpatrick, LLP;

tkilpatrick@murphykilpatrick.com, the email address on file with the Attorney Information System.

s/ Jamie Anna Weller

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