

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

The Honorable H. Bruce Williams
Chief Judge

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SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas – Master-In-Equity Court

Trial Court Case No. 2017CP1005427

Family Services, Inc., as Conservator for Muriel W. Clarkin, Respondent,

v.

Patricia Clarkin Smith and Wells Fargo Bank, NA., Defendants,

Of whom Patricia Clarkin Smith is the Appellant.

Appellate Case No. 2021-000793

MOTION FOR CONTINUANCE AND EXTENDED DEADLINE

Your Honor,

I hereby move for an extension to file outside of deadline because of this technical failure of my computer.

I sincerely appreciate the letter from Chief Deputy Clerk Allen allowing 10 days to serve and file appellant's initial brief and designation of matter file, along with this motion. (EXH A-Nov 19, 2022 Letter), (EXH B-Email Delivery Status Notification Failure)

This motion is based on exceptional circumstances of technical computer failure. I humbly share that I was truly unaware of this delivery failure of my emailed Initial Brief and Designation of Matter, thus this inadvertently missed deadline.

Appellant humbly seeks the Court's permission to serve and file appellant's initial brief and designation of matter outside of the filing deadlines set by Rules 208 and 209 and this Court's order dated September 02, 2022. *Rule 60 - Briefs*, S.C. R. P. Admin. Law. Ct. 60 ("Law. Ct. 60")

Respondent is not prejudiced by my motion given I served Appellant's Initial Brief and Designation of Matter to be included on the Record on Appeal via USPS prepaid postage mail, which I noted in my email that I wrote in attempt to confer and seek support. (EXH C – Appellant's Oct 28, 2022 Email to Respondent's attorney)

My CERTIFICATE OF SERVICE is included per Rule 240, SCACR.

October 29, 2022

THE LAW OFFICE OF
DAVID CONOR KEYS, LLC
D. Conor Keys (100148)
P.O. Box 14225
Charleston, SC 29422
Phone: 843-906-3998
conor@dconorkeyslaw.com
Attorney for Respondent

Respectfully submitted,

s/Patricia Clarkin Smith
Patricia Clarkin Smith
602 Atlantic St.
Mount Pleasant, SC 29464
Tel No. 843-345-0158
smithpatriciaclarkin@gmail.com

EXHIBIT A



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

October 19, 2022

Patricia Clarkin Smith
602 Atlantic Street
Mount Pleasant SC 29464

Re: Family Services, Inc. v. Patricia Clarkin Smith
Appellate Case No. 2021-000793

Dear Ms. Smith:

Our records reflect that the time for serving and filing the appellant's initial brief and designation of matter has expired. Within ten (10) days of the date of this letter, you must serve and file the appellant's initial brief and designation of matter, along with a motion requesting permission to serve and file the appellant's initial brief and designation of matter outside of the filing deadlines set by Rules 208 and 209 and this Court's order dated September 02, 2022. Your appeal will be dismissed if no motion is made within ten (10) days of the date of this letter.

Very truly yours,

V. Claire Allen

CLERK

cc: David Conor Keys, Esquire

EXHIBIT B

RECEIVED

Sep 26 2022

SC Court of Appeals

From: patricia
To: Court Of Appeals Filings
Subject: Fwd: Delivery Status Notification (Failure)
Date: Saturday, September 24, 2022 12:26:00 AM
Attachments: icon.png

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Apologies. P Smith

----- Forwarded message -----

From: Mail Delivery Subsystem <mailer-daemon@googlemail.com>
Date: Sat, Sep 24, 2022 at 12:02 AM
Subject: Delivery Status Notification (Failure)
To: <smithpatriciaclarkin@gmail.com>



Address not found

Your message wasn't delivered to **cttappfilings@sccourts.org** because the address couldn't be found, or is unable to receive mail.

The response from the remote server was:

550 #5.1.0 Address rejected.

----- Forwarded message -----

From: patricia <smithpatriciaclarkin@gmail.com>
To: cttappfilings@sccourts.org
Cc:
Bcc:
Date: Sat, 24 Sep 2022 00:01:50 -0400
Subject: Case 2021-000793 Initial Brief and Dof Matter
----- Message truncated -----

EXHIBIT C



patricia <smithpatriciaclarkin@gmail.com>

Appellate Case 2021-000793

1 message

patricia <smithpatriciaclarkin@gmail.com>

Fri, Oct 28, 2022 at 4:47 PM

To: David Conor keys <conor@dconorkeyslaw.com>

Oct 28, 2022

Attorney Keys,

Reason: Case 2021-000793

Oct 19, 2022 email & letter regarding my (Initial Brief and Designation of Matter) email delivery failure.

Thank goodness I mailed your copy, so you are not prejudiced by my late-filed brief.

Please agree to my motion requesting permission to serve and file my Initial Brief an Des of Matter again outside of the filing deadlines set as explained in letter dated Oct 19, 2022.

I will agree to any extensions of time that you might request.

Conferring with you is strictly erring on the side of caution given you have been contacted by an appellate attorney for information, etc.

I am Appellate Pro Se today.

I remain hopeful of securing counsel to assist with an alternative to Appellate Court that benefits my 90-year old Mom today.

I appreciate your time and consideration because we are on the same page that my Mom is in need of immediate funds for her care.

Thank you.

Patricia Smith

smithpatriciaclarkin@gmail.com

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v.

Patricia Clarkin Smith and Wells Fargo Bank, NA., Defendants,

Of whom Patricia Clarkin Smith is the Appellant.

Appellate Case No. 2021-000793

CERTIFICATE OF SERVICE

I certify that on this 31st day of October, 2022, I have served Appellant Smith's Motion for Continuance and Extended Deadline upon Respondent's attorney via USPS Certified Mail.

D. Conor Keys, Esq. (100148)
The Law Office of David Conor Keys, LLC
P.O. Box 14225
Charleston, SC 29422
Attorney for Respondent

October 31, 2022

s/Patricia Clarkin Smith
Patricia Clarkin Smith
602 Atlantic St.
Mount Pleasant, SC 29464
Tel. No. 843-345-0158
smithpatriciaclarkin@gmail.com
Appellant Pro Se



FROM:

Patricia Clerk n Smith
602 Atlantic St
Mount Pleasant SC
29464

CERTIFIED MAIL



7022 1670 0001 5836 7797



U.S. POSTAGE PAID
FORM 3849
CHARLESTON, SC
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AMOUNT
\$9.89
R2304E105640-02

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TO:

SC Court of Appeals
Clerks Office
1220 Senate St
Columbia, SC
29201

RETURN RECEIPT
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Utility Mailer
10 1/2" x 16"

Ready **P**ost