

From: [Carol Ann Honeycutt](#)
To: [Court Of Appeals Filings; Transcripts; Kevish, Julie; auso2southcarolina.usa.com](#)
Subject: 2023-001023 Motion to Enlarge Time to Reinstate, Proof of Service, Filing Fee, Cover Letter
Date: Friday, June 28, 2024 2:49:12 PM

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RECEIVED
Jun 28 2024
SC Court of Appeals

June 28, 2024
via EMAIL & USPS

The Honorable Jenny Abbott Kitchings
Honeycutt

RE: 25th Avenue LLC v. Carol Ann

Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Appellant Case No. 2023-001023

Dear Ms. Kitchings:

Enclosed please find **APPELLANT'S MOTION FOR ENLARGEMENT OF TIME TO FILE A MOTION FOR REINSTATEMENT**, the Proof of Service for this motion, and the Proof of Service for the "Notice of Motion to Reinstate," which is Appellant's "Notice of Error" requested in your letter of June 21, 2024.

Additionally, find a USPS money order #29341094523 in the amount of \$50.00 to cover the filing fee for Appellant's Motion for Enlargement of Time to File a Motion for Reinstatement, sent by USPS to the Appellate Court on June 28, 2024, attached below.

Should you have any questions, please do not hesitate to contact me.

Sincerely.

Carol Ann Honeycutt

Carol Ann Honeycutt
Appellant Pro Se

Post Office Box 8574
Myrtle Beach, South Carolina 29578
843-254-5951
email: auso2@southcarolina.usa.com

cc: **via USPS**

25th Avenue Llc.
Richard f. Williams, Agent of Record
309 North Highland Way
Myrtle Beach, South Carolina 29572

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas, Honorable Kristi F. Curtis, Circuit Court Judge
and
Court of Common Pleas, Honorable Debra R. McCaslin, Circuit Court Judge

Appellate Case No. 2023 - 001023
consolidated with
Appellate Case No. 2024 – 000131

Case No. 2020-CP-26-05267

25th Avenue, LLC,

Respondent

v.

Carol Ann Honeycutt,

Appellant.

**APPELLANT’S MOTION FOR ENLARGEMENT OF TIME TO FILE
A MOTION FOR REINSTATEMENT**

Pursuant to Rule 240(a), SCACR, Carol Ann Honeycutt (hereinafter “Appellant”) respectfully requests an enlargement of time within which to file a complete Motion to Reinstate. Included with this Motion for an Enlargement of Time is Proof of Service and the \$50.00 filing fee. The Appellant is requesting an extension of time through July 31, 2024, in order to obtain the Complete Transcript of the Hearing of April 24, 2023, which is required for the completion of the Initial Brief and Designation of Matter.

Pursuant to SCAC Rule 260, Dismissal and Reinstatement, “a motion to reinstate the appeal has been actually received by the court within fifteen (15) days of filing the order of dismissal (the day of filing being excluded).” The Order to Dismiss was filed June 17, 2024, by Clerk of Court Kitchings.

This requirement was met by Clerk Kitchings' letter of June 21, 2024, which stated: “Upon reviewing your Notice of Error, which the Court is construing as a motion to reinstate” Furthermore, this requirement is met today, June 28, 2024, by Appellant by filing the Proof of Service on this, and by filing the Appellant’s Motion for Enlargement of Time to File a Motion for Reinstatement. The Appellant wishes to submit a complete Motion to Reinstate with all the requirements for the motion including the arguments, citing of authorities, and supporting documents which requires the enlargement of time to prepare. The Appellant sees her letter of June 18, 2024, as a Notice of Motion for Reinstatement and has submitted a proof of service as required by Clerk Kitchings in her letter of June 21, 2024: “A proof of service has not

been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.”

CORRECTIONS FOR THE ACMS OF THIS CASE

Clerk Kitching failed to enter this deficiency letter of June 21, 2024, on the ACMS. Line June 21, 2024, is labeled “Deficiency Letter” but, the entry is Appellant's Notice of Error which was entered twice, on both the June 21, 2024, line, and on the June 18, 2024, line which Clerk Kitchings labeled as “Appellant's Motion to Reinstate.”

Therefore, Appellant has attached a copy of the “Deficiency Letter” to this motion.

Appellant has enclosed with this motion, Appellant's Motion for Enlargement of Time to file a Motion for Reinstatement, the proof of service, and the fifty (\$50.00) filing fee.

THE MOTION FOR REINSTATEMENT

The sequence of this case has become complicated as it appears that the Clerk of Court's Office has produced instructions and orders that are contrary to, or at least, out of sequence, to the Rules of the South Carolina Appellate Court. Therefore, the Appellant asks for an enlargement of time to present a formal and complete motion to reinstate. This motion will address the Rules and will provide documents which will prove that the dismissal of the case was improper.

Furthermore, the Appellant requires additional time to obtain the Complete Transcript of the Hearing of April 24, 2023, before Judge Debra R. McCaslin, whose orders are appealed in this case. The **Appellant's Motion for Enlargement of Time to File Initial Brief and Designation of Matter Pending Receipt of a Complete Transcript of the Hearing of April 24, 2023**, found on line June 24, 2024, of the ACMS, provides extensive detail through the Exhibits that this transcript has not been completed. In fact, it appears that the Clerk of Court's office declined to order the Complete Transcript, in spite of six letters to the Clerk's office requesting this order for completion upon the court reporter.

THE ORDER OF DISMISSAL

Appellant wishes to respond to the Order of Dismissal filed by Clerk of Court, Ms. Jenny Abbott Kitchings on June 17, 2024. Appellant believes that this Order violates the

following South Carolina Appellate Court Rules: **Rule 208(a)(1), Rule 207, Rule 208(a)(1), Rule 240(e)(f), Rule 260(a), Rule 262(a)(3), Rule 506, and the instructions of Deputy Clerk Catherine Harrison's letter of May 14, 2024.** Therefore, Appellant respectfully requests an enlargement of time to July 31, 2024, to file the Motion to Reinstate.

WHEREFORE, having fully set before this honorable Court the grounds for this motion, the

Appellant moves for an Order granting an enlargement of time through July 31, 2024, for filing

Appellant's Motion to Reinstate.

Respectfully submitted,

Carol Ann Honeycutt

Carol Ann Honeycutt

Appellant, Pro Se

P. O. Box 8574

Myrtle Beach, South Carolina 29578

843-254-5951

email: auso2@southcarolina.usa.com

Myrtle Beach, South Carolina

June 28, 2024

FORM 7

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas, Honorable Kristi F. Curtis, Circuit Court Judge

and

Court of Common Pleas, Honorable Debra R. McCaslin, Circuit Court Judge

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Jun 28 2024

SC Court of Appeals

Appellate Case No. 2023 - 001023

consolidated with

Appellate Case No. 2024 – 000131

Case No. 2020-CP-26-05267

25th Avenue, LLC,

Respondent

v.

Carol Ann Honeycutt,

Appellant.

PROOF OF SERVICE

I certify that I

have served the

**APPELLANT’S MOTION FOR ENLARGEMENT OF TIME
TO FILE A MOTION FOR REINSTATEMENT**

of the above captioned and numbered case on Respondent by depositing a copy of it in the United States Postal Mail, postage prepaid, on June 28, 2024, addressed to

Respondent, 25th Avenue Llc., Agent of Record, Richard F. Williams, 309 North Highland Way, Myrtle Beach, South Carolina 29572.

Carol Ann Honeycutt

June 28, 2024

Carol Ann Honeycutt

Appellant Pro Se

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FORM 7

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jun 28 2024

SC Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas, Honorable Kristi F. Curtis, Circuit Court Judge

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Case No. 2020-CP-26-05267

25th Avenue, LLC,

Respondent

v.

Carol Ann Honeycutt,

Appellant.

PROOF OF SERVICE

I certify that I have served the

**APPELLANT'S LETTER OF JUNE 18, 2024, "NOTICE OF ERROR" AS
APPELLANTS NOTICE OF MOTION TO REINSTATE**

of the above captioned and numbered case on Respondent by depositing a copy of it in the United States Postal Mail, postage prepaid, on June 28, 2024, addressed to

Respondent, 25th Avenue Llc., Agent of Record, Richard F. Williams, 309 North Highland Way, Myrtle Beach, South Carolina 29572.

Carol Ann Honeycutt

June 28, 2024

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Appellant Pro Se

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