

The South Carolina Court of Appeals

Harold Wilson, Appellant,

v.

Cynthia Barnett, Respondent.

Appellate Case No. 2022-000261

102454
RECEIVED
JUL 31 2024
SC Court of Appeals

The Honorable Michael S. Holt
Darlington County
Trial Court Case No. 2015CP1600622

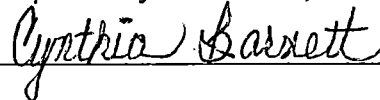
Respondent's Motion to Dismiss for Insufficient Service of Process

On July 15, 2024, respondent received from this court a copy of the Order by Judge Stephanie P. McDonald dated July 12, 2024, granting appellant's motion asking this court to hold this appeal in abeyance for ninety days due to his poor health. Prior to this, the last correspondence I received in this matter was the order of Judge H. Bruce Williams dismissing this matter as of May 17, 2024, if appellant did not file his amended appeal by that date. Appellant did not serve respondent with a copy of his motion to hold this matter in abeyance for ninety days, which he filed on June 21, 2024, as required by the rules of this court.

For the past several years, this court has graciously granted appellant extended time to file his amended appeal. Appellant is mobile, able to attend to his daily activities of living, able to write and submit requests for extensions of time to file the amended appeal to this court, but continually claims his health issues as a reason to need more time. He also is now not serving respondent with copies of his filings with this court as required by the rules of this court.

For this reason, I respectfully request that this court issue an order dismissing this matter for insufficient service of process with prejudice.

Respectfully Submitted,



Cynthia Barnett
Respondent

8012 Thouron Ave.

Philadelphia, PA 19150
(215)924-7873

Philadelphia, PA
July 23, 2024

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PROOF OF SERVICE

A copy of **Respondent's Motion to Dismiss for Insufficient Service of Process** was sent to appellant, Harold Wilson, (at the address listed below), via USPS certified mail numbered _____ on July 23, 2024.

9589 0710 5270 1423 1670 49

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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Harold Wilson
1549 Country Manor Rd.
Darlington, SC 29532
843-639-0661

Cynthia Barnett
Cynthia Barnett
8012 Thouron Ave.
Philadelphia, PA 19150
215-924-7873

July 23, 2024

Jemmy Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

JUL 31 2024

Court of Appeals

Re: Harold Wilson, Appellant,
v.
Cynthia Barnett, Respondent,
Appellate Case No. 2022-000261

Dear Ms. Kitchings,

Enclosed for filing with this court please find Respondent's Motion to Dismiss for Indeficient Service of Process, along with 06 copies of same.

Also enclosed is a copy of Respondent's Proof of Service, along with 6 copies of same and a \$50 money order payable to the court for the filing fee.

If you need to contact me, I can be reached at (215) 924-7873.

Thank you for your assistance in this matter.
Sincerely,
Cynthia Barnett

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UNITED STATES POSTAL SERVICE **PRIORITY MAIL**

FROM: **Cynthia Barnett**
8012 Thouron Avenue
Phila., PA 19150

TO: **Jenny Abbott Kitchings**
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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