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Sep 09 2024

SC Court of Appeals

From: [Bev Hennager](mailto:Bev.Hennager)
To: MBurns@thesavagefirm.com; [Court Of Appeals Filings](#); [Rena Jennings](#)
Subject: Fwd: Final Brief of Appellant Case number 2024-00152
Date: Saturday, September 7, 2024 8:53:13 AM

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From: **Bev Hennager** <hennagerbev@gmail.com>
Date: Sat, Sep 7, 2024 at 6:50 AM
Subject: Re: Final Brief of Appellant Case number 2024-00152
To: Moultrie Burns <MBurns@thesavagefirm.com>

Although the rules establish clear deadlines for filing, they do not restrict filing earlier than required.

Rule 210 - Record on Appeal(b) Time for Filing. The appellant must file the Record on Appeal with the clerk of the appellate court **no later than** the date his brief(s) are due under Rule 211.

Rule 211 - Final Briefs: (a) Time to Serve and File. **Within** twenty (20) days after the service of the Record on Appeal, each party shall serve a copy of the party's final brief.

Rule 208 - Initial Briefs, allows Respondent 30 days after service of Appellant's Initial Brief to file his response.

Appellant's Initial Brief was served and filed on August 15, allowing Respondent until September 14 to file his response.

If Appellant exceeds the deadline for filing the Record or Final Brief, because the Respondent failed to file, or Appellant's filings were intercepted and "lost", then the clerk of court may issue an order dismissing the appeal. As this has already been attempted, then it is only prudent to make sure there is no risk of it happening again.

Thank you,

Beverly Hennager

On Fri, Sep 6, 2024 at 9:01 AM Moultrie Burns <MBurns@thesavagefirm.com> wrote:

All,

My observation: Respondent's Initial Brief is not yet filed; therefore, the filing of Appellants Final Brief and Record On Appeal are premature under the SCACRs.

Moultrie B. Burns, Jr.

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From: Bev Hennager <hennagerbev@gmail.com>

Sent: Friday, September 6, 2024 9:34 AM

To: ctappfilings@sccourts.org; Moultrie Burns <MBurns@thesavagefirm.com>; Renae Jennings <renaej2@gmail.com>

Subject: Final Brief of Appellant Case number 2024-00152

Attached is my Final Brief of Appellant. Please be advised that a hard copy was mailed yesterday, along with the Record on Appeal, and should arrive at the courthouse Monday. As previous filings I mailed to the court were lost after delivery, and never filed (setting my case to be dismissed), please inform the mail clerks to be sure my Record on Appeal is filed on the docket. Please do not file my Final Brief on the docket twice. I just want to make sure you have it.

Thank you,

Beverly Hennager

