

C. Holmes, MD
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Sullivans Island, SC 29482
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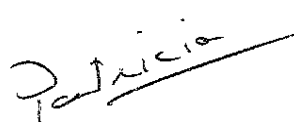
S.C. SUPREME COURT

1 March 2025

The Honorable Patricia Howard
SCSC
PO Box 11330
Columbia, SC 29211

Re: Case No. 2021-CP-10-5478
COA App. Case No. 24-001450 and 22-001146

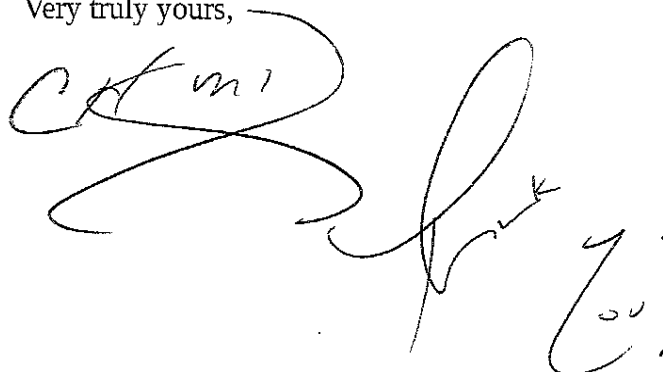
Dear Ms. Howard:



We hope this letter finds you and your kind staff well. Per request, copy attached for ease of reference, we are writing to amend the request for enlargement of 30 additional days to file certiorari petition. Also, the Chief Judge in App. Case No. 22-001146 ruled that after disposition on the post-trial motion the second appeal herein is permitted and without additional fee, copy attached. Please feel free to contact us with any questions.

Thank you for your help. By copy of this letter, the other side is notified. With best personal regards, I am

Very truly yours,



cc Opposing counsel:

*BIBaker
1 Carriage Ln., Bldg.H
West Ashley, SC 29407*

The South Carolina Court of Appeals

James Kevin Holmes, Respondent,

v.

Cynthia Elaine Collie, Appellant.

Appellate Case No. 2022-001146

ORDER

This appeal arises out of a notice of entry of judgment entered July 14, 2022. A review of the public index reveals this case was referred to the master-in-equity on that date. Referral of a case to the master-in-equity is not immediately appealable unless the appellant is deprived of a mode of trial. *See N. Carolina Fed. Sav. & Loan Ass'n v. Twin States Dev. Corp.*, 289 S.C. 480, 347 S.E.2d 97 (1986); *Williford v. Downs*, 265 S.C. 319, 218 S.E.2d 242 (1975); *Collier v. Green*, 244 S.C. 367, 137 S.E.2d 277 (1964). To the extent the appellant is appealing from the order of Judge R. Markley Dennis, Jr. dated June 9, 2022, the public index shows a pending Rule 59(e), SCRPC motion. *See Hudson v. Hudson*, 290 S.C. 215, 216, 349 S.E.2d 341, 341-42 (1986) (directing dismissal of an appeal in which a timely post-trial motion is pending and permitting a second appeal without an additional case initiation fee). Accordingly, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.


 _____, C.J.
 FOR THE COURT

Columbia, South Carolina

cc: Cynthia Holmes
 Barry I. Baker, Esquire
 Kyle T Varner, Esquire

FILED
Dec 09 2022

Appellate Case No. 2020-000447

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