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Jun 16 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Ninth Judicial Circuit Court Judge

App Case No. 2025-000486
COA Case No. 24-1450 and 22-1146
Circuit Court Case No. 2021-CP-10-05498

J. K. Holmes,

Respondent,

v.

C. E. Holmes,

Petitioner.

AFFIDAVIT

C. Holmes
P.O. Box 187
Sullivans Isd., SC 29482-0187
843.883.3010

S.C. Sup. Ct. App. Case No. 2025-000486

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)

AFFIDAVIT

Personally came and appeared before me, Notary Public, C. Holmes, who upon being duly sworn did depose and say the following:

1. I am the plaintiff, of legal age, and competent to state the matters herein. This affidavit is based on personal knowledge and on information and belief. It is submitted in support of S.C. Sup. Ct. App. Case No. 2025-000486.
2. Specifically, previously unavailable evidence is respectfully submitted documenting timely request and fee payment for extension to file cert petition.
3. The attached copy of correspondence from the Clerk of this Honorable Court was provided by the Case Manager. Significantly and materially, it is inadvertently omitted from Sup. Ct. App. Case No. 2025-000486 but should be included therein. The record reflects timely notice to the COA is timely filed on February 24, 2025 in the proper COA Case No. That correspondence corroborates timely filing herein on or before February 24, 2025, which is less than 30 days from denial of the Court of Appeals Petition for Rehearing. Importantly, it also evidences timely payment of the filing fee on or before February 28, 2025, in the upper right corner.
4. Accordingly, record evidence establishes timely filing of the cert petition extension request on or before February 24, 2025, and timely notice by copy of that letter filed in the proper COA case on February 24, 2025, with timely fee payment on or before February 28, 2025.
5. Pursuant to Rule 263(b) and Rule 221(b), SCACR, the COA shall not send the remittitur until receiving notice from this Honorable Court. The record in the COA reflects no such notice from this Honorable Court was received by the COA. The cert petition is timely filed by fax on Sunday, March 16, 2025, and before dismissal which is hereby requested.

FURTHER THE AFFIANT SAITH NOT.

ORIGINAL HARD COPY
TO FOLLOW

Subscribed and sworn to before me,
Notary Public, this _____ day
of _____, 20_____.

NOTARY PUBLIC

My commission expires: _____.