

THE SOUTH CAROLINA COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas

Hon. Carmen T. Mullins, Judge

Hon. Marvin H. Dukes III, Master-in- Equity

Hon. Ernest J. Kinard, Judge

71245

APPELLATE CASE No. 2012 - 206886

Micheal Walters

Appellant-Defendant

v.

Laura Leigh Walters and Jon K.
Walters, Jr., as adult children heirs
Successors and assigns of Jon K.
Walters, Sr., deceased

Respondents- Plaintiffs

**MOTION TO STAY REMITTITUR AND FOR AN EXTENSION OF
TIME TO FILE FINAL BRIEF AND RECORD ON APPEAL OUT
OF TIME**

The Appellant, Micheal Walters, through his undersigned counsel, would move the Court, with leave, pursuant to Rule 211, SCRAP for an Order staying the filing and transmittal of the Remittitur and extending the time for filing Appellant's Final Brief and Record on Appeal for (10) days next from the filing of this Motion.


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SC Court of Appeals

Respectfully submitted,

The Houston Law Firm, LLC
31 Marshland Road
Hilton Head Island, South Carolina, 29938
Phone: (843) 684-0211
charles@houstonlawfirm.net

By: 
Charles E. Houston, Jr.
Attorney for Appellant

February 5, 2014
Hilton Head Island, SC

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Hon. Ernest J. Kinard, Judge
Hon. Carmen T. Mullen, Judge
Hon. Marvin H. Dukes, Master in Equity
Case No. 2012-206886

Micheal Walters

Appellant-Defendant

v.

Laura Leigh Walters and Jon K.
Walters, Jr., as adult children heirs
Successors and assigns of Jon K.

Walters, Sr., deceased

Respondents- Plaintiffs

AFFIDAVIT IN SUPPORT OF MOTION

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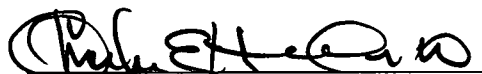
SC Court of Appeals

State of South Carolina
County of Beaufort


Personally appeared before me Charles E. Houston, Jr., Esq. who upon first being duly sworn deposes and says:

1. That I am the attorney of record for the Appellant pertaining to Appellate Case No. 2012-206886 an appeal from Beaufort County South Carolina Court of Common Pleas Case No. 2010- CP - 07-5777.

2. The filing of the Appellant's Final Brief and Record on Appeal has not been timely filed resulting in the Court issuing its Order for Remittitur dated January 22, 2014.
3. That counsel has been representing the Appellant "*pro bona*" through the trial Court and this appellate proceeding requesting only that he defray the cost as counsel has limited resources himself. That the Appellant, who remains unemployed, has not been capable of defraying the cost resulting in the delay of the timely progression of this appeal through the appellate process.
4. That in the interest of obtaining justice and to make legal services available to indigenous persons, counsel has decided to defray the out of pocket expense for the printing cost for the publication of the Final Brief and the Record on Appeal providing the Court would grant the extension of time requested.
5. That I am informed and believe that no prejudice would be incurred by any party for the relief respectfully requested.
6. That I have read this Affidavit and am familiar with the contents stated therein and have retained a copy of the same in my possession.


Charles E. Houston, Jr., Esq.
Attorney for Appellant

Sworn to before me this
5 day of February 2014.


Notary Public for South Carolina
My commission expires: 4/23/2019

THE SOUTH CAROLINA COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Hon. Carmen T. Mullins, Judge
Hon. Marvin H. Dukes III, Master-in- Equity
Hon. Ernest J. Kinard, Judge

APPELLATE CASE No. 2012 - 206886

Micheal Walters Appellant-Defendant

v.

Laura Leigh Walters and Jon K.
Walters, Jr., as adult children heirs
Successors and assigns of Jon K.

Walters, Sr., deceased Respondents- Plaintiffs

CERTIFICATE OF SERVICE

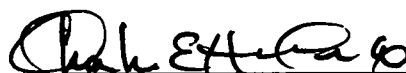
I am the Attorney for the Appellant/Defendant and I do hereby certify that I have mailed a copy of the Motion to Stay the Remittitur which is attached hereto and incorporated herein by reference, dated February 5, 2014 and in connection with the above-referenced case, by mailing a copy of the same by United States mail, postage prepaid, to each of the Addressees, and in separate envelopes, at each of their respective addresses shown below.

Jon Karl Walters, Jr.
8010 Reedy Branch Road
Chesterfield, Virginia 23838

and

Lauraleigh Walters
8010 Reedy Branch Road
Chesterfield, Virginia 23838

This 5th day of February 2014.



Charles E. Houston, Jr.

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SC Court of Appeals

THE HOUSTON LAW FIRM LLC

Charles E. Houston Jr.

31 Marshland Road
Hilton Head Island, SC 29926

Phone: 843-684-0211
charles@houstonlawfirm.net

February 5, 2014

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

Re: Appellate Case# 2012- CP-07-206886
Micheal Walters vs. Laura Leigh Walters et. Al.
Motion to Stay Remittitur

Dear Ms. Kitchings:

We are submitting for filing with the Court an original and seven copies of the Appellant's Motion to Stay the Filing and Transmittal of the Remittitur along with a check for \$25.00 to cover the motion filing fee. Please stamp-clock one copy and return it to us in the envelope provided.

By copy of this letter to all opposing parties as shown on the Certificate of Service a copy of the same is being served upon them.

Respectfully,
The Houston Law Firm, LLC


Charles E. Houston, Jr.

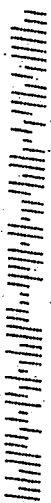
cc: Laura Leigh Walters
Jon K Walters

Ends: as stated
CEH/ch

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SC Court of Appeals



The Houston Law Firm, LLC
31 Marshland Road
Hilton Head Island, SC 29926

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SC Court of Appeals

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