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March 19, 2014

Via Email

The Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Breakfield, as Personal Representative v. Woods
2011-CP-12-0291
Appellate Case No. 2012-212318
Our File No. 12085.3

Dear Ms. Kitchings:

Please recall that you forwarded an email to me on Monday, March 17, 2014 that included an email to the Court from the Appellant. Appellant's email was sent to the Court on Sunday, March 16, 2014, and made reference to an attached motion to extend time. Your email to me did not include an attachment.

I served a Return to the unseen motion by mail on March 18, 2014. It should arrive to the Court this morning.

In today's mail I received a copy of Appellant's letter to you dated March 12, 2014. In my dealings with the Appellant in his many cases, it is customary that my copies of Appellant's correspondence to the Court arrive almost one week after it is represented to have been mailed. Appellant's March 12 letter is no exception. Appellant resides in Great Falls, SC, and my office is in Columbia.

I do not know if the March 12 letter is the Motion to Extend Time that was referred to in Appellant's March 16 email or if a formal written motion has been filed. This is Appellant's modus operandi, to claim that the posting of or receipt of mail is somehow delayed by the Post Office. The Court's opinion herein was filed and posted online on February 26. Appellant allegedly just happened to look online on March 12, the 14th day following the filing of the opinion. Notwithstanding his alleged last-minute discovery of the opinion online, and the fact that his letter to you represents, or implies, that it was mailed on March 12, 2014, it is fair and reasonable to point out that notwithstanding the imminent deadline, he did not send his letter/motion to the Court by

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overnight delivery, and he did not email his letter/motion to the court until March 16. Why not? Was it backdated? I cannot determine that, but it is a fair and reasonable question.

I submit that there is an insufficient showing to justify extending any deadlines for the Appellant.

Very truly yours,

A handwritten signature in cursive script, appearing to read "B. Michael Brackett", with a horizontal line extending to the right from the end of the signature.

B. Michael Brackett

cc. Robert H. Breakfield, Esquire
Mell Woods (via email: 498@Safe-mail.net)