

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

ROBIN B. STILLWEL, Circuit Court Judge

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**Appellate Case No: 2012-205726**

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The Estate of Gordon W. Bridwell, Jr. by  
Raymond Eddie Bridwell, Personal  
Representative, Respondent,

v.

Life and Hope Assembly of God, Mary Appellants  
Ellen Harris, and John Doe, Representing  
Unknown persons claiming to [sic] Life and  
Hope Assembly of God,

**RECEIVED**

MAY 29 2014

**SC Court of Appeals**

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RETURN TO MOTION FOR EXTENTION

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The Respondent objects to the Appellants' Motion for Extention filed in this matter. Written notice of this Motion was received by fax on May 22, 2014.

It is now nearly a year since the Court of Appeals first informed the parties, by Order dated June 3, 2013 that "no further extensions will be granted absent extraordinary circumstances." Since that time the Court, by letter dated August 30, 2013 gave the Appellants thirty (30) days to file an Initial Brief and Designation. Mary Ellen Harris presents no extraordinary circumstances in her Motion.

She claims "Surprise per SC Code 60-1" in that she "was not expecting the information Respondent filed in his 'Brief and Designation of Matter' was to assassinate the character of the Appellant." The Respondent assumes that "SC Code 60-1" refers to

Rule 60 (b) (1) of the South Carolina Rules of Civil Procedure that allows for a party to seek relief from an Order on the grounds of mistake, surprise, or excusable neglect.

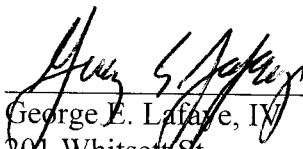
Since the South Carolina Rules of Civil Procedure do not apply in the Court of Appeals, the Appellant Mary Ellen Harris has failed to make a proper Motion in this matter. Even if she had, her claim of surprise is undermined by the record in this case that shows that the Respondent has challenged the validity and genuineness of the documents the Appellants have produced from the very beginning of this matter. Mary Ellen Harris cannot claim surprise when the Respondent reiterates arguments made below and incorporated into the Order of the Court below.

The Appellant Mary Ellen Harris will not be prejudiced by a denial of this Motion. Between the two Designations of Matter already properly filed, the great bulk of the trial transcript and the exhibits before the trial court will be in the record.

This case is now three and a half years after trial. Because of the pending appeal, the Respondent cannot market the Estate's property. The Court has granted the Appellants every opportunity to be heard. There is no reason for further delay. The Respondent respectfully requests that the Motion be denied as soon as possible so that the matter may proceed.

Respectfully Submitted,

May 27, 2014

  
\_\_\_\_\_  
George E. Lafaye, IV  
201 Whitsett St  
Greenville SC 29601  
864-241-3001  
Attorney for Respondent

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Appellants

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PROOF OF SERVICE

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I certify that, pursuant to SCRAP 208, I have filed one copy of the Respondent's with the Clerk of the South Carolina Court of Appeals along, by depositing, with the United States Post Office with sufficient postage appended, a copy in an envelope on May 27, 2014 addressed to:

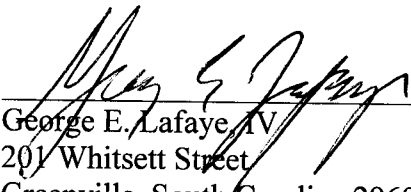
The Hon. Jenny Abbot Kitchens  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

with a copy to attorney and pro-se Appellant at

Candy Kern-Fuller  
Attorney for Appellant  
Upstate Law Group,  
200 East Main Street  
Easley, South Carolina 29640.

and

Mary Ellen Harris  
P.O. Box 26431  
Greenville, SC 29616



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George E. Lafaye, IV  
201 Whitsett Street  
Greenville, South Carolina 29601  
(864) 241-3001  
Attorney for Respondent

**GEORGE E. LAFAYE, IV**  
ATTORNEY-AT-LAW  
201 WHITSETT STREET  
GREENVILLE, SC 29601

TELEPHONE: 864-241-3001  
FAX: 864-241-3040  
E-MAIL: GELIVLAW@GMAIL.COM

May 27, 2014

The Hon. Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia SC 29211

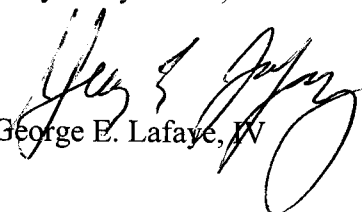
**Re: Estate of Gordon W. Bridwell, Jr. v. Life and Hope Assembly of God**  
**Civil Action No.: 2010-CP-23-02382**  
**Tracking No.: 2012-205726**

Dear Ms. Kitchings:

Enclosed you will find the original and two (2) copies of the Return to Motion for Extension and Proof of Service for same on behalf of the Respondent in the above-named case. Please return the copies to my office in the envelope provided.

If you should have any questions or concerns regarding this information, please do not hesitate to let me know.

Very Truly Yours,

  
George E. Lafaye, IV

GEL, IV/plm  
Enclosures  
cc: Candy Kern-Fuller  
Mary Ellen Harris, Appellant

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MAY 29 2014

**SC Court of Appeals**

George E. Lafaye, IV  
Attorney at Law  
201 Whitsett Street  
Greenville, SC 29601

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