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AUG 11 2014

SC Court of Appeals

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August 8, 2014

Ms. Amelia Smith
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenwood District of the African Methodist Episcopal (A.M.E.) Church, Appellant-Respondent, v. Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison, Respondents-Appellants. Case No: 2013-002236

Dear Ms. Smith,

As you know, this case involves an appeal by Appellant-Respondent Samuel L. McPherson ("McPherson") on two issues arising from the trial court's June 27, 2013 Order (filed July 22, 2013) and an appeal by Respondents-Appellants, Henry Banks, et al, of one issue in the June 27, 2013 Order. On July 10, 2014, counsel in the case Samuel L. McPherson v. Henry Banks, et al., Appellate Case No. 2013-002236, received a letter from V. Claire Allen, Deputy Clerk of the South Carolina Court of Appeals, advising counsel that "until such time as the Court issues an Order on the pending motions, the deadlines for filing final briefs will temporarily be stayed." The letter further advises that "[i]structions will be given once the Court has issued an Order on the pending motions." To date, counsel for respondents/appellants have received no further information as to orders on the pending motions, or as to the revised deadlines for filing final briefs. For this reason, final briefs have not been filed.

One of the outstanding pending motions is McPherson's Motion for an Extension of Time to File His Initial Brief and Designation of Matters to be included in the Record on Appeal, filed May 13, 2014, several weeks after McPherson had already filed his Initial Brief of Appellant-Respondent on April 21, 2014. Respondents-Appellants Henry Banks, et al, filed a memorandum in opposition to McPherson's motion for time to file his initial brief because McPherson had already filed his Initial Brief and Henry Banks, et al had already prepared their response to the initial brief. To date, the Court has not ruled on McPherson's motion. Yet, today, on August 6, 2014, Henry Banks, et al's counsel received "Respondent's Initial Brief of Appellant-Respondent" which appears to both respond to Respondents-Appellants' appellant brief and restates McPherson's first initial brief filed

on April 21, 2014. As with many of the Appellant-Respondent's filing, it is unclear whether this brief is a new Initial Brief, as requested in McPherson's motion, which the Court has not ruled upon, or is only intended to be a late filed response to Respondents-Appellants Initial brief.

Additional confusion and uncertainty about this appeal continues to arise from several communications received from the Clerk of the South Carolina Court of Appeals' office in October, 2013. Specifically, on October 30, 2013, the Clerk of the South Carolina Court of Appeals wrote, and recognizing the filing of multiple notices of appeal, stated that the appeals would be consolidated and that the Court anticipated receiving one Record of Appeal. Yet, since that time, communications from the Clerk of the South Carolina Court of Appeals either explicitly or implicitly states that the appeals are not consolidated, but should be treated as separate and parallel appeals. This confusion led to Respondents-Appellants filing additional initial briefs in a good faith attempt to meet the Clerk of the South Carolina Court of Appeals' expectations of this appeal, but never clearly understanding how the appeals are being treated.

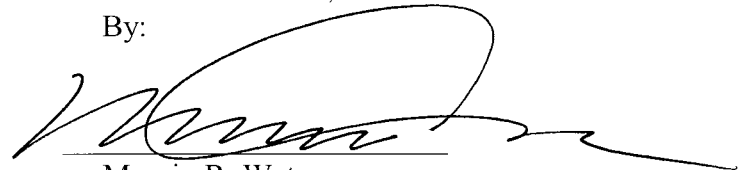
For each of these reasons, at this time, counsel for Respondents-Appellants respectfully requests the South Carolina Court of Appeals and the Clerk's Office of the South Carolina Court of Appeals to address all outstanding motions in this appeal; to clarify whether the cross-appeals will be handled as a consolidated appeal and what that means in terms of the timing and filing of the final briefs; and whether the recent August 6, 2014 "initial brief" filed by McPherson is proper and whether the Respondents-Appellants may reply to this brief and if so, when such reply should be filed. As mentioned, the inherent and long-standing confusion that exists in this appeal has been costly to Respondents-Appellants in that it has led to additional briefing, correspondences, and consultation, all of which could be greatly reduced with clarification and clear instructions on how to proceed by the Court and the Office of the Clerk of the South Carolina Court of Appeals.

Your cooperation is greatly appreciated.

cc: Randall Rosel Williams
Respondents Appellants

Watson Law Firm, P.A.

By:

A handwritten signature in black ink, appearing to read 'Marvin R. Watson', written over a horizontal line.

Marvin R. Watson

August 8, 2014
Greenwood, SC

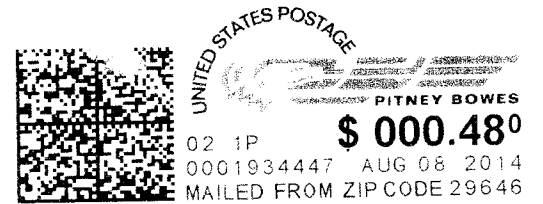
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