

**MULLEN WYLIE**  
ATTORNEYS

**RECEIVED**

OCT 20 2014

**SC Court of Appeals**

200 Merchant Street

October 16, 2014

P.O. Box 5969

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

Hilton Head Island, SC 29938

Phone: (843) 785-6969

RE: ***Jameel Rizk and Cristina Rizk v. Judy F. Simmons***  
Case No.: 2014-001729

Fax: (843) 785-6711

Dear Ms. Kitchings:

On August 1, 2014, Appellant filed with this Court her Notice of Appeal of a Civil Case. No transcript exists, and Appellant did not file her initial brief within 30-days as prescribed by Rule 208(a)(1), SCACR.

On September 20, 2014, counsel for Appellant wrote this Court and requested an extension to file Appellant's Initial Brief by October 10, 2014. Appellant requested this extension after the time by which her Initial Brief was due under the South Carolina Appellate Court Rules. On October 2, 2014, Respondent filed with this Court their Motion For Dismissal of Appeal for Failure to File Brief Within the Time Prescribed.

George E. Mullen

Now, On Monday, October 13, 2014, counsel for Appellant, Judy F. Simmons, filed Appellant's Motion for Leave to File Initial Brief Instanter, three-days after the date Appellant requested an extension by which to file her Initial Brief. Pursuant to Rules 208(a)(1), 208(a)(4), and 260(a), SCACR, Appellant's Appeal must be dismissed. Appellant's brief is time barred.

Robert L. Wylie, IV

Francis E. Grimball

James E. Lady

Additionally, Appellant's letter purporting to file her Motion for Leave to File Appellant's Initial Brief Instanter that she mailed to the Court is dated October 13, 2014. The postmark date on the letter to the undersigned is dated October 15, 2014. However, the certificate of proof of service is dated October 10, 2014, claiming to serve the undersigned on that date, and the date of Appellant's Motion for Leave to File Initial Brief Instanter is dated October 9, 2014. Appellant did not serve the undersigned on the date of the purported proof of service, and did not file her motion until after the date by which she requested an extension within which to file.

Arthur T. Meeder

Amy W. Wates

Allison B. Thompson

Andrew J. Toney

If you have any questions, please feel free to contact me. Thank you in advance for your assistance with this matter.

With kind regards,

Sincerely,

**MULLEN WYLIE, LLC**

  
Andrew J. Toney

AJT/pm

cc: Stephen E. Carter, Esq.



**MULLEN WYLIE**  
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CHARLESTON SC 294

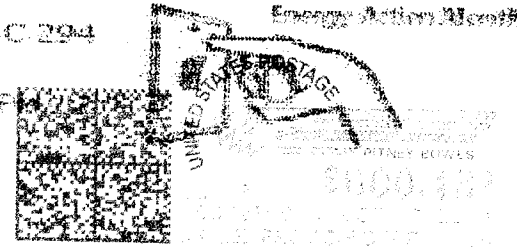
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