

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

William Henry Seals, Jr., Circuit Court Judge

Case No. 2013-CP-21-02319  
Appellate Case No. 2014-001934

RECEIVED

NOV 06 2014

SC Court of Appeals

74075

Carmichael T. Flowers.....Appellant,

v.

Janel Namias.....Respondent.

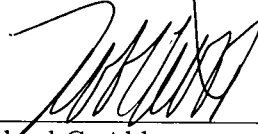
**MOTION TO DISMISS**

The Appellant filed and served his Notice of Appeal on August 31, 2014. Please find attached correspondence from the Appellant to me requesting that I consent to the Appellant not ordering the transcript pursuant to Rule 207, SCACR. (Ex.#1). Please also find attached my response to the Appellant agreeing to his request not to order the transcript. (Ex. #2).

Rule 208(a)(1), SCACR, states that the Appellant **shall** serve one copy of his Initial Brief on all parties to the appeal and file with the Court of Appeals one copy of the Brief with Proof of Service within thirty days after serving the Notice of Appeal if no transcript is ordered. The Appellant filed and served his Initial Brief on October 25, 2014 well more than thirty days after he filed his Notice of

Appeal. Therefore, this Court should dismiss the appeal pursuant to Rule 208(a)(4), SCACR.

Respectfully submitted,



November 5, 2014

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Michael C. Abbott  
**ABBOTT & MCKISSICK LAW FIRM, LLC**  
702 W. Evans Street  
Post Office Box 148  
Florence, SC 29503  
(843) 669-0089  
*mcabbott@abbottmckissicklaw.com*  
Attorney for Respondent

SEPT. 15. 14

MR. CARMICHAEL T. FLOWERS  
Agency # 335945, RCI  
P.O. BOX 2039, SB44  
Ridgeland S.C. 29936

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SC Court of Appeals

Michael C. Abbott, ESD.  
P.O. BOX 148  
Florence, S.C. 29503

RE: TRANSCRIPT

DEAR Counselor,

IN THE MATTER OF CARMICHAEL T. FLOWERS VS. JANEL NAMIAS, THERE IS NOTHING IN THE RECORD OF VALUE IN REQUESTS TO THIS APPELLATE REVIEW, I'M ASKING IF YOU WOULD AGREE IN WRITING, PURSUANT TO SCACR Rule 207 NOT TO ORDER THE TRANSCRIPT.

With the kindest of regards . . . I am,

*A Sincerely,*  
*Carmichael Flowers*

cc Court Admin.  
Appellate Court

Exhibit "1"

Abbott &  
McKissick  
Law Firm, LLC

Michael C. Abbott  
Robert D. McKissick

P.O. Box 148  
702 W. Evans Street  
Florence, SC 29503

(843) 669-0089  
(843) 669-0085 Fax  
mcabbott@abbottmckissicklaw.com

September 19, 2014

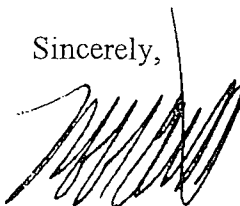
Mr. Carmichael T. Flowers #3359425  
Ridgeland Correctional Institute  
P. O. Box 2039, SB44  
Ridgeland, SC 29936

Re: Carmichael T. Flowers  
vs. Janel Namias  
C/A #2013-CP-21-02319  
Our File #2013095

Dear Mr. Flowers:

This will acknowledge receipt of your September 15, 2014 correspondence during which you requested that I agree in writing for you not to order the transcript of the hearing giving rise to your hearing. If it is your desire not to order the transcript, then I will not object to your decision.

Sincerely,



MICHAEL C. ABBOTT

MCA/kch

cc: Ms. Janel Namias

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

William Henry Seals, Jr., Circuit Court Judge

Case No. 2013-CP-21-02319  
Appellate Case No. 2014-001934

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**SC Court of Appeals**

Carmichael T. Flowers.....Appellant,

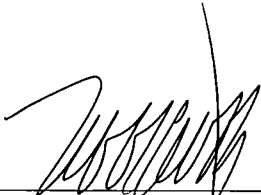
v.

Janel Namias.....Respondent.

**PROOF OF SERVICE**

I certify that I have served the Motion to Dismiss on Carmichael T. Flowers, 335945, Other Counsel of Record, by depositing a copy of it in the United States Mail, postage prepaid, on November 5, 2014, addressed to Post Office Box 2039, SB 44, Ridgeland, SC 29936.

November 5, 2014

  
\_\_\_\_\_  
Michael C. Abbott  
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November 5, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

Re: Carmichael T. Flowers, Appellant  
vs. Janel Namias, Respondent  
Appellate Case No. 2014-001934  
Case No. 2013-CP-21-02319  
Our File #2013095

Dear Ms. Kitchings:

Please find enclosed the following documents regarding the above referenced matter:

1. One original and seven (7) copies of the Motion to Dismiss;
2. Original and one (1) copy of Proof of Service; and
3. Our firm's check in the amount of \$25.00 to cover filing fee.

I would appreciate you filing the original Proof of Service and Motion to Dismiss stamping as received the copy of same and returning a filed copy of each to me in the enclosed self-addressed, stamped envelope.

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

With kindest regards, I am

Yours very truly,



MICHAEL C. ABBOTT

MCA/kch  
Enclosures

cc: Mr. Carmichael T. Flowers, 335945  
Ms. Janel Namias

**RECEIVED**

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**SC Court of Appeals**