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December 8, 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 Return to Motion for Extension of Time; and
2. Original and one (1) copy of Proof of Service.

I would appreciate you filing the original Proof of Service and Return to Motion for Extension of Time 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

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DEC 09 2014

SC Court of Appeals

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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DEC 09 2014

SC Court of Appeals

Carmichael T. Flowers.....Appellant,

v.

Janel Namias.....Respondent.

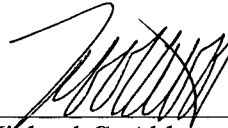
**RETURN TO
MOTION FOR EXTENTION OF TIME**

The Respondent herewith requests this court deny the Appellant's motion for an extension of time to pay the \$100.00 filing fee due to his Motion to Proceed *in forma pauperis* being denied by Order of this court on November 20, 2014. The Respondent requests the court deny the Appellant's extension request as he should have anticipated this court's action given that in a prior appeal involving the same parties, this court also denied the Appellant's motion to proceed *in forma pauperis*. Please find attached a copy of this court's prior Order filed on April 8, 2011. Thus, the Appellant should have realized when he filed his Notice of Appeal that he would be required to comply with South Carolina Appellate Court Rule 203(d)(1)(B) relating to the filing fee set by the order of the Supreme

Court. The Appellant filed his Notice of Appeal on August 31, 2014, thus he has already had more than three months to acquire the funds necessary to perfect this appeal.

Therefore, this court should deny his motion for an extension of time and enforce the court's Order dated November 20, 2014 requiring the Appellant to pay the \$100.00 filing fee within fifteen days of November 20, 2014 or the case would be dismissed.

Respectfully submitted,



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Attorney for Respondent

The South Carolina Court of Appeals

Carmichael T. Flowers,

Appellant,

v.

Janel Namias,

Respondent.

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DEC 09 2014

SC Court of Appeals

The Honorable A. E. "Gene" Morehead, III
Florence County Family Court
Trial Court Case No. 2009-DR-21-02600

ORDER

Appellant moves to proceed *in forma pauperis*. The right to proceed *in forma pauperis* must rest upon a statute or a fundamental constitutional right. Ex parte Martin, 321 S.C. 533, 471 S.E.2d 134 (1995). Appellant has the burden of showing his entitlement to this relief, but he has not done so. Therefore, Appellant's motion is denied.

Appellant has fifteen days from the filing date of this order to provide the Court with the \$100 Notice of Appeal filing fee. Failure to provide the filing fee will result in the dismissal of this appeal.

AND IT IS SO ORDERED.

Jasper W. Curreton A.J.

Columbia, South Carolina

cc: Carmichael T. Flowers
E. Michael Pinilla, Esquire
Susan J. Firimonte, Esquire

FILED

4/8/11 

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