

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BAMBERG COUNTY  
Circuit Court

Edgar W. Dickson, Circuit Court Judge

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CASE NO.: 2010-CP-05-39  
Appellate Case No. 2014-002727

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**RECEIVED**  
FEB 06 2015  
**SC Court of Appeals**

The Forfeited Land Commission of Bamberg.....Plaintiff,

v.

Eartha Dean Moody Beard, et al, Ralph Johnson, et al., of whom Ralph Johnson is  
answering as Defendant..... Third Party Plaintiff,

v.

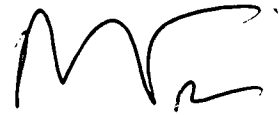
Bank One, N.A., Conseco Finance Servicing Corp., Equity One, Inc., JPMorgan Chase Bank, National Association, as trustee for the C-Bass Mortgage Loan Asset-Backed Certificates, Series 2005-CB2, and Mark D. Johnson, JOHN DOE AND MARY ROE, fictitious names representing any unknown minors, incompetents, persons in the military, persons imprisoned and persons under any legal disability and RICHARD ROE AND SARA DOE, fictitious names representing unknown devisees, distributees, or personal Representatives of LILLIAN G. BROWN, GERALDINE G. REED, RETHA G. GREGGS, LILLIE D. GRAY, GEORGE DAVIS, JULIA DAVIS, VIVIAN DAVIS, MARGARET DAVIS, LILLIE MAE DAVIS, LECIA RICE, ROY H. SETZLER, DYAN SETZLER, LUCIOUS WRIGHT, JULIA JONES, EDITH K. GILMORE, EDDIE GRIMES, HENRY C. GUESS, WILLIE THOMPSON, BESSIE THOMPSON, ANNIE MAE WHITE, and also all other unknown persons claiming any right, title, estate, or lien upon the real estate which is the subject of this action, Third Party Defendants,

Of Whom Ralph Johnson is the Respondent and Coretta McMillan, Samuel Lee Morant, Jr., and Betsy Felicia Morant are the Appellants.

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**APPELLANT'S MOTION TO EXTEND THE TIME REQUESTING  
TRANSCRIPT**

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A handwritten signature in black ink, appearing to read 'MC' with a stylized flourish at the end.

Michael C. Tanner, Esq.  
PO Box 1061  
Bamberg, SC 29003  
(803)245-9153  
Attorney for Appellants

MEMORANDUM IN SUPPORT OF MOTION TO ACCEPT LETTER FOR  
TRANSCRIPT

On or about January 23, 2015, the Appellants, Coretta McMillan, Willis Thompson, Bessie Thompson, Samuel Lee Morant, Jr., and Betsy Felicia Morant, requested a copy of the transcript for the hearing held before the Honorable Edgar W. Dickson of the First Circuit Court on September 22, 2014.

The Appellants request that this Court accept their reasons to receive a copy of the transcript for the hearing held on September 22, 2014, pursuant to Appellate Court Rule 207.

Appellant now moves the Court for permission to file and serve her *Request for A Transcript* out of time. Appellant asserts Respondent will not be prejudiced by filing and serving the transcript request out of time.

ARGUMENT

The South Carolina Appellate Court Rules allow that the time for performing any act under the Rule, with the exception of filing the Notice of Appeal, may be extended by the Court. Rule 263(b), SCACR. Appellant now comes and moves the Court to grant them permission to the transcript request, which was sent to the Court late.

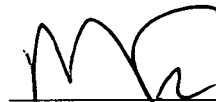
“[t]he South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State. It is incumbent upon counsel to provide material that complies with the Rules and facilitates appellate review.” Henning v. Kaye, 307 S.C. 436, 415 S.E.2d

794 (1992). However, where an appellant's brief does not fully comply with the Rules, the Court may grant the appellant an opportunity to correct it. *C.f. id.* (holding appellant would have fifteen days to submit an initial brief conforming to the Rules, where version first submitted contained numerous violations).

#### CONCLUSION

Based upon the foregoing authority, Appellants Coretta McMillan, Willis Thompson, Bessie Thompson, Samuel Lee Morant, Jr., and Betsy Felicia Morant respectfully requests that their *Motion to Accept Letter for Transcript* be GRANTED.

Respectfully submitted,  
Coretta McMillan, Willis Thompson,  
Bessie Thompson, Samuel Lee  
Morant, Jr., Betsy Felicia Morant



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Michael C. Tanner  
P.O. Box 1061  
Bamberg, SC 29003  
(803) 245-9153  
Attorneys for Appellants

Bamberg, SC  
February 5, 2015

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BAMBERG  
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Of Whom Ralph Johnson is the Respondent and Coretta McMillan, Samuel Lee Morant, Jr., and Betsy Felicia Morant are the Appellants.

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PROOF OF SERVICE

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I certify that I have served the Plaintiff a copy of the Appellants Coretta McMillan, Willis Thompson, Bessie Thompson, Samuel Lee Morant, Jr., and Betsy Felicia Morant's *Motion to Accept Letter for Transcript* by mailing a copy of same to the Respondent's Attorney as follows:

J. Martin Harvey, Esquire  
Harvey & Kulmala, LLC  
Post Office Box 705  
Barnwell, SC 29812  
Attorney for Ralph Johnson

William S. Kemp, Esquire  
P.O. Box 1068  
Bamberg, SC 29003  
Guardian ad Litem

Richard B. Ness, Esquire  
P.O. Box 909  
Bamberg, SC 29003

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Trey Nicolette

803-245-9153  
Fax: 803-245-9154

February 5, 2015

Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1015 Sumter St.  
Columbia, SC 29201

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**SC Court of Appeals**

RE: The Forfeited Land Commission of Bamberg County v. Eartha Dean Moody Beard, et al  
and Bank One, N.A. Conseco Finance Servicing Corp., et al  
C/A Number: 2010-DR-05-39  
Appellate Case No. 2014-002727

Dear Ms. Kitchings:

Enclosed, please find the original and one copy of Appellant's Motion to Extend The Time Requesting Transcript in this matter. Kindly file the original and return the certified clocked copy to me in the envelope I have enclosed for your convenience.

Yours truly,

  
Michael C. Tanner

MCT/l  
enclosure

cc: J. Martin Harvey, Esquire  
William S. Kemp, Esquire  
The Honorable James B. Hiers, Clerk of Court  
Richard B. Ness, Esquire