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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JUL 06 2015

SC Court of Appeals

APPEALS FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable James E. Chellis
Master of Equity

Appellate Case No. 2014-002633

Stephen Dudek, Doreen Cross, Respondents,

v.

Thomas M. Ferro and Lorraine B. Ferro, Appellants.

And

Molly M. Morphew, Appellant,

v.

Stephen Dudek, Doreen Cross, Thomas Ferro and Lorraine Ferro, Defendants,

Of whom Stephen Dudek and Doreen Cross are Respondents.

APPELLANTS MOTION TO REJECT RESPONDENTS FINAL BRIEF

FACTS

April 8, 2015: Respondents were served the Record on Appeal.

April 21, 2015: Appellants filed Final Brief and Final Reply Brief with Appellate Court.

April 28, 2015: All Final Briefs due.

June 5, 2015: Respondents filed Final Brief. Appellants were served a copy of Respondents Final Brief.

June 9, 2015: Appellant submits letter to Appellate court explaining Respondents deficiency.

June 20, 2015: Appellant Morphew receives reply from Appellate Court requesting a Motion to be filed in place of letter submitted.

June 30, 2015: Appellant Morphew serves and submits said Motion.

DISCUSSION

Appellants would respectfully like to bring to your attention the Respondents have submitted their Final Brief after the allowed time for filing had expired.

Pursuant to the South Carolina Appellate Court Rules (SCACR), Rule 211(a), Final Briefs, the Respondents had (20) days after the service of the Record on Appeal to serve a copy of their final brief on every other party to the appeal, and file (15) copies of the final brief with the clerk of the appellate court.

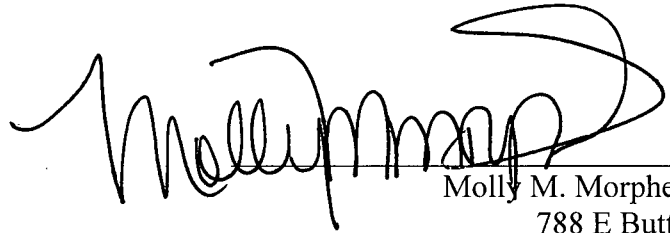
Respondents were served the Record on Appeal on April 8, 2015 (**Exhibit 1**). All final briefs were due on or before April 28, 2015.

Respondents filed their final brief on June 5, 2015, 38 days after the time for filing had expired (**Exhibit 2**).

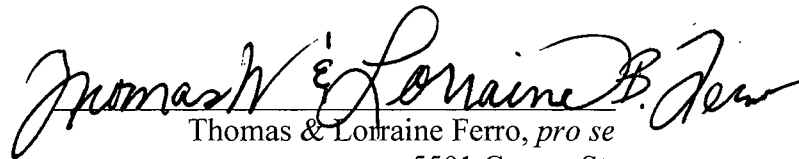
Furthermore, opposing counsel, Attorney David Collins, provided a Certificate of Service, dated June 1st, that certifies a copy of the Final Brief of Respondents Stephen Dudek and Doreen Cross was served on both Appellants Ferro and Appellant Morphew on May 15, 2015 (**Exhibit 3**). In truth, the brief was instead served on June 5th, 21 days later than certified (**Exhibit 4**). This violates the South Carolina Rules of Civil Procedure (SCRCP) Rule 407, Rules of Professional Conduct, Rule 3.3 (a)(1), Candor Toward the Tribunal, “make a false

statement of fact or law to a tribunal...” and SCRCP Rule 407, Rules of Professional Conduct, Rule 4.1 (a), Truthfulness in Statements to Others, “make a false statement of material fact or law to a third person”, specifically to Appellant Morphey and Appellants Ferro.

Therefore, Appellants respectfully requests the court to reject the Respondents Final Brief due to their gross failure to submit said document on time, and due to the opposing counsel’s misconduct, as stated above.



Molly M. Morphey, *pro se*
788 E Butternut Rd.
Summerville, SC 29483
(843) 514-7299



Thomas & Lorraine Ferro, *pro se*
5501 Carson St.
Denver, CO 80239

June 29, 2015

Other Parties of Record:
David Athell Collins
P.O. Box 40578
Charleston, SC 29423
(843) 760-0220

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
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APPEAL FROM DORCHESTER COUNTY
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James E. Chellis, Master in Equity

Appellate Case No. 2014-002633

Molly M. Morpew, Thomas M. Ferro and Lorraine B. Ferro

Appellants

v.

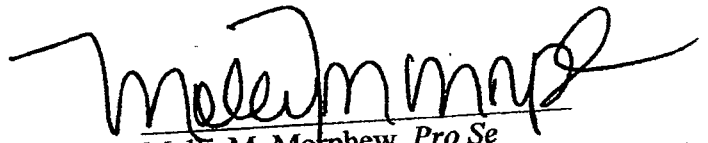
Doreen Cross, and Stephen Dudek

Respondents

CERTIFICATE OF SERVICE

I, Molly M. Morpew, Appellant [and pro se] for said case, hereby certify that I have, on this date indicated below, served counsel below with a copy of the Record on Appeal by mailing a copy of same via United States Mail, postage pre-paid and return address clearly indicated on said package, to counsel at the following address:

David A. Collins, Esquire
P.O. Box 40578
Charleston, SC 29423


Molly M. Morpew, Pro Se

April 08, 2015

Exhibit 1

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable James E. Chellis
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Case No. 2013-CP-18-0183 consolidated with
Case No. 2013-CP-18-0074

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SC Court of Appeals

Stephen Dudek and Doreen Cross

Respondents

v.

Thomas M. Ferro and Lorraine B. Ferro

Respondents/Appellants.

AND

Molly M. Morphew

Appellant/Respondent

v.

Stephen Dudek, Doreen Cross, Thomas Ferro and
Lorraine Ferro, Defendants,

Of Whom

Stephen Dudek and Doreen Cross are

Respondents.

FINAL BRIEF OF RESPONDENTS
STEPHEN DUDEK and DOREEN CROSS

Exhibit 2

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JUN 15 2015

SC Court of Appeals

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of Final Brief of Respondents Stephen Dudek and Doreen Cross, including the Certificate of Counsel, has been served this 15 day of May, 2015, via ordinary U.S. Mail, upon the following:

Molly Morpew, *pro se*
788 Butternut Road
Summerville, SC 29483

Thomas and Lorraine Ferro, *pro se*
5501 Carson Street
Denver, CO 80239



David A. Collins (Bar # 0010294)
P.O. Box 40578
Charleston, SC 29423-0578
(843) 760-0220
Attorney for Respondents

6/1, 2015

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SC Court of Appeals

Exhibit 3

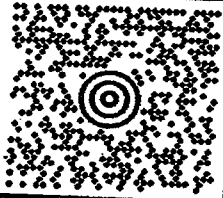
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8438532888
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8438532888
MOLLY MORPHEW
788 BUTTERNUT ROAD
SUMMERVILLE SC 29483



SC 294 1-03



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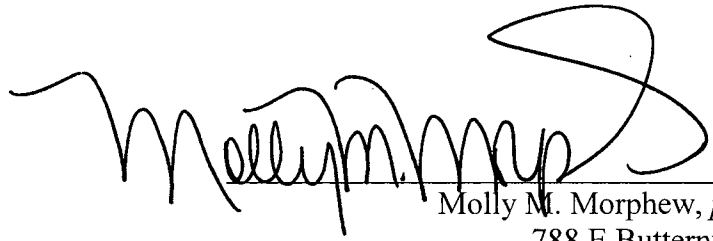
Stephen Dudek, Doreen Cross, Thomas Ferro and Lorraine Ferro, Defendants,

Of whom Stephen Dudek and Doreen Cross are Respondents.

CERTIFICATE OF SERVICE

We certify that a copy of the Appellants Motion to Reject Respondents Final Brief was served upon Respondents Stephen Dudek and Doreen Cross by depositing a copy of it in the United States Mail, postage prepaid, on June 30, 2015, addressed to their attorney of record, David A. Collins, P.O. Box 40578, Charleston, SC 29423.

June 30, 2014



Molly M. Morphey, *pro se*
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June 29, 2014

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The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: Appellate Case No. 2014-002633

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v.
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AND

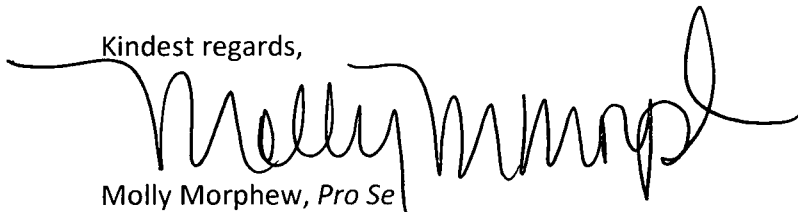
Molly M Morphew, Appellant
v.
Stephen Dudek, Doreen Cross, Thomas Ferro and Lorraine Ferro, Defendants
Of Whom Stephen Dudek and Doreen Cross are Respondents

Dear Ms. Kitchings:

Please find enclosed 2 copies of a Motion to Reject Respondents Final Brief. Also enclosed is the Proof of Mailing. Please acknowledge receipt of these documents by stamping the enclosed copy of this letter and Motion it to me in the envelope provided.

By copy of this letter I am serving one copy each upon opposing counsel in this matter. If you have any questions, please do not hesitate to contact me.

Kindest regards,

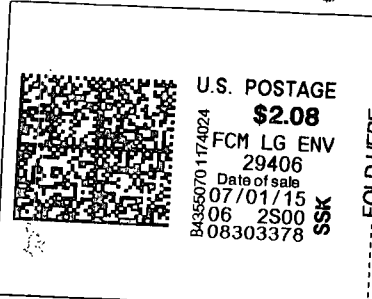


Molly Morphew, *Pro Se*
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Enclosures

Cc: David Athell Collins, Esquire
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Mopheo
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Summerville, SC 29483



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