

From: [Kitchings, Jenny](#)
To: [kimberly smith](#)
Cc: carolyn@jonesfirm.com
Subject: Re: regarding the appealet"s court rules
Date: Wednesday, November 25, 2015 6:39:38 PM

Dear Ms. Smith:

I don't mind helping direct you to the court rules that may be helpful to you. If you would like to file a motion requesting relief from the exceptions to the automatic stay set forth in Rule 241 of the South Carolina Appellate Court Rules (SCACR), you will need to reference Rule 240, SCACR. Rule 240 is the rule that sets forth the requirements for filing a motion in the appellate court. I will tell you that you need not file any extra copies of your motion-- just an original will do. You will also need to mail the motion with a \$25 filing fee to the court, and include a proof of service showing that you served it on the opposing side pursuant to Rule 262, SCACR, by placing it in the mail to the respondent's attorney. If you email it to me as well, please make sure you also cc it to the respondent's attorney.

I can't tell you what you should say in your motion, but as far as format you can generally follow the format shown in Form 7, which is the format for a proof of service. You can mimic the caption for this in order to draft your motion requesting relief from the court. Form 7 may be found here: <http://m.sccourts.org/courtReg/Part2AppendixC.cfm>

Please don't hesitate to let me know if you have any other questions, and I will do my best to respond quickly.

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals

On Nov 25, 2015, at 6:13 PM, kimberly smith <kowens1177@gmail.com> wrote:

Im sorry I am really haven a hard time understanding exactly what physical documentation it is im suppose 2 submit.. please forgive me if I seem so simple minded but I am truly still n a state of shock an I appreciate your patience not 2 mention your kindness, an for that I am forever grateful