

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEAL

APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS

RECEIVED

FEB 18 2016

SC Court of Appeals

J.C NICHOLSON, JUDGE

Gernaris Hamilton _____ APPELLANT

Henry Scott Sr. _____ Respondent

Case no. 2015-002039

Reply To Motion

"Denial For Extension To File Late"

Garnaris Hamilton

Garnaris Hamilton

4453 Jenwood St.

Ladson, SC 29456

843-718-8952

sworn to before me

16 February 2016

[Signature]

My commission expires

1 October 2019

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA

Reply to The Motion To Deny Extension To File Late

The appellant in the above case respectfully moves before the court on and order to deny such an extension to file late, on respondents request. Respondent's initial brief and designation of matter to be included in the records were due on January 4, 2016 that was (30) thirty days after appellant initial brief on December 4, 2015. The court extended until January 20, 2016 (16) sixteen days later and told appellant to file appellants records on appeal and final brief within (20) twenty days, the appellant filed on February 9, 2016 by postal mail his records on appeal with his final brief on February 8, 2016 after receiving the letter dated January 20, 2016 respondent file for extension to file late (64) sixty-four days late and wants more time, this is excessive time for and untimely "Motion." The court would have granted an extension for (30) thirty days but respondent did not abide by appellant court rules the motion was not sent until (64) sixty-four days and after appellant file his final brief. It would be a financial burden on appellant and a violation of SCACR to grant such untimely file motion. Appellant respectfully asked that the court deny the motion before the court.

Respectfully submitted,

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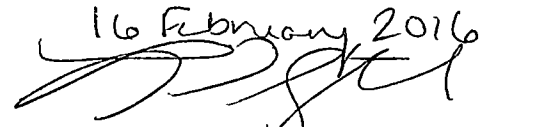
FEB 18 2016

SC Court of Appeals

Bruce A. Berlinsky
One Carriage Lane Bldg. F
Charleston, SC 29407
843-852-2202



Garnaris Hamilton
4453 Jenwood St.
Ladson, SC 29456

sworn to before me
16 February 2016

My commission expires
1 October 2019

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Case No. 2015 - 002039

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FEB 18 2016

SC Court of Appeals

Gernaris HamiltonAppellant

v.

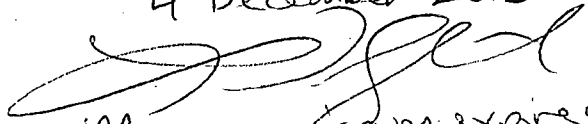
Henry Scott, Sr.Respondent

PROOF OF SERVICE

I certify that I have served the INITIAL BRIEF ALSO DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL to Bruce Berlinsky, P. A. by placing in the United States Post Office address One Carriage Lane Bldg F, Charleston, South Carolina 29407.


Garnaris Hamilton
4453 Jenwood Street
Ladson, SC 29456
(843)718-8952

Sworn to before me
4 December 2015


My commission expires
01 October 2019

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK
V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 20, 2016

Garnaris Hamilton
4453 Jenwood Street
Ladson SC 29456

Re: Garnaris Hamilton v. Henry Scott
Appellate Case No. 2015-002039

Dear Mr. Hamilton:

Please be advised our records indicate that the respondent has not served and filed an initial brief and designation of matter. Therefore, you should proceed to serve and file your final brief and file the record on appeal, as provided in Rules 210(b) and 211(a) of the South Carolina Appellate Court Rules, within twenty (20) days of the date of this letter.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Bruce Alan Berlinsky, Esquire

https://supreme.justia.com/cases/federal/us/1case.html

LETTER TO THE APPELLATE COURT CLERK FOR FILING

CASE NO. 2015-002039

THE HONORABLE JENNY KITCHINGS, CLERK

SOUTH CAROLINA COURT OF APPEALS

RE: Gernaris Hamilton, Appellate V. Henry Scott SR.

Bruce A. Berlinsky, P.A Respondent

Dear, Ms. Kitchings,

Enclosed for filing in the above case are the followings

1. Records on appeal 15 copies
2. Certificate of counsel -15
3. Appellants Final Brief -15
4. Proof of service of Final Brief-1


Garnaris Hamilton

4453 Jenwood St.

Ladson, S.C. 29456

843-718-8956


Bruce A. Berlinsky, P.A

One Carriage Lane Bldg. F

Charleston, South Carolina 29407

843-852-2202

Charleston County, State of South Carolina
The foregoing instrument was acknowledged before me
this 9th day of February, 2016
by Garnaris Hamilton


ANDRIA L. AMARAL
Notary Public
My commission expires June 8, 2022

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEAL

APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS

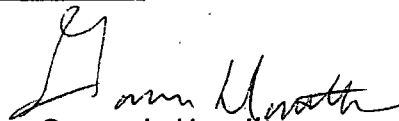
J.C NICHOLSON, JUDGE

Gernaris Hamilton _____ APELLANT

Henry Scott Sr. _____ Respondent

Appellant no. 2015-002039

RECORD ON APPEAL



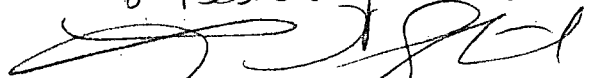
Garnaris Hamilton
4453 Jenwood St.
Ladson, SC 29456
843-718-8952

Bruce A. Berlinsky PA
One Carriage Ln. Bldg. F
Charleston, SC 29409
843-852-2202

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA

sworn to before me

8 February 2016


my commission expires
1 October 2019

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEAL
APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS

J.C. Nicholson, Judge

CASE NO. 2015-CP-10-3372

Gernaris Hamilton.....Appellant

v

Henry Scott Sr.....Respondent

Appellant No. 2015-002039

CERTIFICATE OF COUNSEL

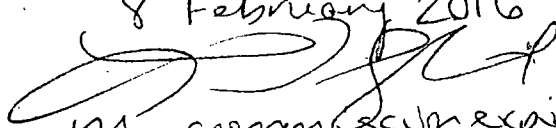
The undersigned certified that this final brief complies with rule 211(b), SCACR.



Garnaris Hamilton
4453 Jenwood St.
Ladson, SC 29456
(843)718-8952

Appellant

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA

Sworn to before me
8 February 2016

my commission expires
1 October 2019

THE STATE OF SOUTH CAROLINA IN THE COURT APPEAL

APPEAL FROM CHARLESTON COUNTY

J.C. Nicholson, Judge

CASE NO. 2015-CP-10-3372

Appellant No. 2015-002039

Gernaris Hamilton.....Appellant

v.

Henry Scott Sr.....Respondent

APPELLANTS FINAL BRIEFS



Garnaris Hamilton

4453 Jenwood St.

Ladson, SC 29456

843-718-8952

Bruce A. Berlinsky, P.A

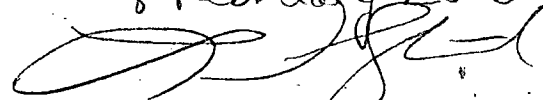
One Carriage Ln. Bldg. F

Charleston, SC 29407

843-852-2202

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA

Sworn to before me
8 February 2016



My commission expires
1 October 2019

SUMMERVILLE MPO
 SUMMERVILLE, South Carolina
 294839998
 4518030483 -0095
 02/09/2016 (843)873-3571 01:16:07 PM

Sales Receipt			
Product Description	Sale Qty	Unit Price	Final Price
@@ COLUMBIA SC 29211-1629 Zone-2 Priority Mail 2-Day By Weight 18 lb. 2.8 oz. Expected Delivery: Thu 02/11/16 Includes up to \$50 insurance			\$17.75
USPS Tracking #: 9505 5111 0405 6040 4770 59			
Issue Postage:			===== \$17.75
(Forever) John H. Johnson PSA	4	\$0.49	\$1.96
Total:			\$19.71
Paid by:			
Cash			\$20.00
Change Due:			-\$0.29

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 BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.

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~~ Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm>.

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

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 Clerk: 07

All sales final on stamps and postage
 Refunds for guaranteed services only
 Thank you for your business



Bruce A. Berlinsky, P.A.
One Carriage Lane, Bldg. F
Charleston, SC 29407

Garnaris Hamilton
4453 Jenwood Street
Ladson, SC 29456

Social Security Administration
Supplemental Security Income
Important Information



SOCIAL SECURITY
1463 TOBIAS GADSON BLV
CHARLESTON SC 29407

Date: January 2, 2016
Claim Number: [REDACTED] DI

000037789 I=000000 1226 2 COM



37769 1 AT 0.413

585 16S1553K80685
GARNARIS HAMILTON
4453 JENWOOD ST
LADSON SC 29456-3756



3 things

We are writing to tell you about changes in your Supplemental Security Income (SSI) record. This action does not change your current payment amount.

Your Payments Will Be As Follows:

From	Through	Amount Due Each Month
February 1, 2016	Continuing	\$733.00

When You Will Receive Your Payments

Your bank or other financial institution will receive your monthly payment of \$659.70 around February 1, 2016, and on the first of each month after that.

Information About Your SSI Payments

- As we told you before, we are withholding part of your check to get back money you were overpaid. Starting February 2016, we will start withholding \$73.30. Therefore, your bank or other financial institution will receive a check for \$659.70 about the first day of the month starting in February 2016.
- The \$73.30 we will withhold is 10 percent of your SSI money plus any other money we use in figuring your SSI. If you want us to withhold more or less, please call or visit your Social Security office.



See Next Page

01/02/2016

Page 2 of 4

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Information About Food Stamps

Do you now receive food stamps or have you applied for food stamps within the last 60 days? If so, the change in your SSI amount could affect the amount of food stamps you receive. Tell your local food stamp office right away that we changed your monthly SSI amount. Please have this letter with you when you contact the food stamp office.

FEB 18 2016

SC Court of Appeals

Your Reporting Responsibilities

Your SSI payments may change if your situation changes. You are required to report any changes that may affect your SSI no later than 10 days after the month the change takes place.

Please call 1-800-772-1213 or contact your local Social Security office to report any of the following changes:

- you start or stop work, or your wages increase or decrease;
- your bank account balance goes over \$2,000.00;
- you move;
- anyone else moves into or out of your household;
- someone in your household dies;
- you marry, separate, or divorce (including same-sex marriage);
- income or resources change for you or members of your household;
- your medical condition improves;
- you leave the United States and expect to be gone for a full calendar month or for 30 consecutive days;
- you are in a hospital, jail, or other institution for a full calendar month;
- a felony warrant for flight or escape or a warrant for violating a condition of parole or probation is issued for your arrest.

You Can Review The Information in Your Case

The decisions in this letter are based on the law and information in our records. You have a right to review and get copies of the information in our records that we used to make the decisions explained in this letter. You also have a right to review and copy the laws, regulations, and policy statements used in deciding your case. To do so, please contact us. Our telephone number and address are shown under the heading "If You Have Questions".

Things You Should Know

We are also sending this information to BEATRICE EHREBERG WHITTEN.

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEAL

APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS

J.C NICHOLSON, JUDGE

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FEB 18 2016

SC Court of Appeals

Gernaris Hamilton _____ APPELLANT

Henry Scott Sr. _____ Respondent

Case no. 2015-002039

PROOF OF SERVICE

I Garnaris Hamilton do here by certify that I have this date mailed one copy for a denial to the motion for extension to file late to Bruce A. Berlinsky P.A. One Carriage Lane Bldg. F Charleston, SC 29407 843-852-2202.

Garnaris Hamilton

Garnaris Hamilton
4453 Jenwood St.
Ladson, SC 29456
843-718-8952

sworn to before me
16 February 2016

[Signature]
my commission expires
1 October 2019

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA

LETTER TO THE APPELLATE COURT CLERK FOR FILING

CASE NO. 2015-002039

THE HONORABLE JENNY KITCHINGS, CLERK

SOUTH CAROLINA COURT OF APPEALS

RE: Gernaris Hamilton, Appellate V. Henry Scott SR.

Bruce A. Berlinsky, P.A Respondent

RECEIVED

FEB 18 2016

SC Court of Appeals

Dear, Ms. Kitchings,

Enclosed for filing in the above case are the followings

1. Return Reply to Motion
2. Proof of Service
3. Exhibits (9) total
 1. Initial brief and designation-Proof of Service Dated 12-4-15
 2. Appellant court letter to file record on appeal and final brief Dated 1-20-16
 3. Letter to appellant court to file; Record on appeal, certificate of counsel, final brief Dated 2-9-16
 4. Postal receipt
 5. Respondent mailed motion Dated 2-8-16
 6. SSI financial statement Dated 1-2-16


Bruce A. Berlinsky, P.A
One Carriage Lane Bldg. F
Charleston, South Carolina 29407
843-852-2202

LINDA W. STEWART
NOTARY PUBLIC
SOUTH CAROLINA



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16 February 2016

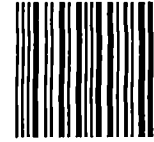


My commission expires
1 October 2019

Garnaris Hamilton
4453 Jenwood St.
Ladson S.C. 29456



1024



29211

U.S. POSTAGE.
PAID
CHARLESTON, SC
29403
FEB 18, 16
AMOUNT
\$6.45
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FEB 18 2016

SC Court of Appeals

SOUTH CAROLINA COURT OF APPEALS

Honorable Jenny A. Kitchings

P.O. Box 11629

Columbia South, Carolina

~~29211~~
29211

