

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

RECEIVED

AUG 15 2016

SC Court of Appeals

Case No: 2016-cp-000152

**Request For Extension of due date of response to Order
from The South Carolina Court Of Appeals regarding
filed motion for Production Of Missing Evidence.**

Jean Elliott, aka Betty Jean Elliott
, Individually and as Personal
representative of the estate of
Ervin W. Elliott.

Respondent

vs.

Alberto Alvarez, appellant and
representative appellant for
Guadalupe Ledesma-Martinez
and Estella Gutierrez-Garcia.

Appellant

By copy of this letter I wish to request an extension of the date a response to the order issued on August 5, 2016 by The South Carolina Court Of Appeals related to my motion filed requesting Production of Missing Evidence.

As clearly stated in the memorandum - attached - the Court Of Appeals is in no position to ascertain the veracity or integrity, completeness, of the transcripts produced by the lower court's hearing of the case being appealed. It thus seems seems that it most prudent and necessary to return to the source and initiate a direct request to the lower court - Greenville County - Master In Equity - Honorable Charles Simmons - to provide the necessary documentation requested - perhaps audio of the hearing, etc.

(2)

As I am most confident that the request I have made within my motion of subject that substantive adjudicative evidence was not included within the final transcripts of the hearings, I wish to appeal directly to the lower court for assistance in confirmation of such is the case.

I believe that a verification by the lower court could prove my conjecture and that with said corrections and a complete and comprehensive set of transcripts can be made available for consideration by the Appellate Court and thereby insuring all adjudicative evidence be accounted for.

Thus far in all dealings with the the Master In Equity's court I have found them to be completely forthright and most accommodating to all requests I have made to-date from them and fully anticipate no less regarding this issue which is central and so critical to the foundation of my arguments.

In light of the unknown element of protocol for such a non-standard motion and the timeframe by which the lower court can and will respond, I am requesting forty-five days beginning August 15, 2016 to complete this research and submit my formal appeal to the standing order.

In understanding fully the standing decision handed down on August 5th concerning my Motion For Production Of Evidence, my resolve in this matter is based on the fact that as per Rule 210(c) regarding Matter presented from the lower court, said Matter could not be referenced in my appeal if it was accidentally omitted or deleted from the transcripts.

With the assistance of the lower court I do hope and expect sufficient grounds (Standing) to pursue the motion in question to be realized.

I thank you for your kind consideration of this request. Please advise of any questions or comments.

Most Respectfully, I Remain



Alberto Alvarez
17 Latham Drive
864-275-7780

Attorney pro se

CA 8-13-16

GREENVILLE, S, C 29617

THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

RECEIVED

AUG 15 2016

Case No: 2016-cp-000152

SC Court of Appeals

PROOF OF SERVICE

Jean Elliott, aka Betty Jean Elliott
, Individually and as Personal
representative of the estate of
Ervin W. Elliott.

Respondent

vs.

Alberto Alvarez, appellant and
representative appellant for
Guadalupe Ledesma-Martinez
and Estella Gutierrez-Garcia.

Appellant

I hereby attest in fact that I served a copy of this letter - Request For Extension For Response - as related to the above referenced action, upon The Office of the Clerk Of Court for the South Carolina Court Of Appeals, at the address of business - PO Box 11629, Columbia, South Carolina, 29211 - via United States Postal Service - postage prepaid, on this day of August 13, 2016.



Alberto Alvarez
17 Latham Drive
864-275-7780

Attorney pro se

GREENVILLE S, C 29617

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

Case No: 2016-cp-000152

PROOF OF SERVICE

RECEIVED

AUG 15 2016

SC Court of Appeals

Jean Elliott, aka Betty Jean Elliott
, Individually and as Personal
representative of the estate of
Ervin W. Elliott.

Respondent

vs.

Alberto Alvarez, appellant and
representative appellant for
Guadalupe Ledesma-Martinez
and Estella Gutierrez-Garcia.

Appellant

I hereby attest in fact that I served a copy of this letter - Request For Extension For Response - related to the above referenced action, upon David R. Clarke Esq. Attorney for Respondent,, at his address of business - 3609 Stoney Ridge Trail, Middleton VA, 23112 - via United States Postal Service, postage prepaid, on this day of August 13 2016.

SAT

 *AA*

Alberto Alvarez
17 Latham Drive
864-275-7780
Attorney pro se

GREENVILLE SC 29617



1007



29211

U.S. POSTAGE
PAID
GREENVILLE, SC
29608
AUG 13, 16
AMOUNT

\$25.65
R2304N117460-10

RECEIVED

AUG 15 2016

SC Court of Appeals

RECEIVED

AUG 15 2016

SC Court of App

TO: CLERK OF COURT

COURT OF APPEALS



EK892833089US



PRIORITY
★ MAIL ★
EXPRESS™

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) PHONE (204) 275 7121
BILLY D. ALVAREZ
17 LATHAM DR
GREENVILLE SC 29617

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

- No Saturday Delivery (delivered next business day)
 - Sunday/Holiday Delivery Required (additional fee, where available*)
 - 10:30 AM Delivery Required (additional fee, where available*)
- *Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT) PHONE ()
CLERK OF COURT
COURT OF APPEALS
PO BOX 11629
COLUMBIA, S.C.
ZIP + 4® (U.S. ADDRESSES ONLY) 29211

- For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
- \$100.00 insurance included.

ORIGIN (POSTAL SERVICE USE ONLY)

<input type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> DPO
PO ZIP Code 29608	Scheduled Delivery Date (MM/DD/YY) 8-15-16	Postage \$ 22.95	
Date Accepted (MM/DD/YY) 8-13-16	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> 12 NOON	Insurance Fee \$	COD Fee \$
Time Accepted 10:15 AM	10:30 AM Delivery Fee \$	Return Receipt Fee \$ 2.70	Live Animal Transportation Fee \$
Weight 3.1 lbs.	Sunday/Holiday Premium Fee \$	Total Postage & Fees \$ 25.65	
Acceptance Employee Initials LPC			

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY) 8/15	Time 2:08	Employee Signature
Delivery Attempt (MM/DD/YY) 8/15	Time 10/11	Employee Signature

LABEL 11-B JANUARY 2014

PSN 7690-02-000-9996

3-ADDRESSEE COPY

WRITE FIRMLY TO MAKE ALL COPIES LEGIBLE.