

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SEP 22 2016
SC Court of Appeals

Appellate Case No. 2015-002113

City of Cayce.....Respondent

vs.

Mamie Jackson.....Appellant

**Return/Reply to Appellant's Motion to Suspend Appeal
And Request for Appointed Counsel for the Appeal**

Counsel for the Respondent feels he cannot consent to the Appellant's Motion to Suspend her Appeal and for the appointment of counsel to handle her appeal. Defense would defer to the Court's discretion on granting or denying the Appellant's requests, but would offer the following in opposition to her motion:

1. Appellant has never requested appointed counsel or been appointed counsel at any stage in this matter prior to filing her appeal with this Court;
2. Appellant, in her motion received September 7, 2016, advised the Appellant Defense for Indigents has denied her request to represent her in this appeal;
3. Appellant did not request appointed counsel until after her appeal was filed and she failed to file a designation of matter or brief;
4. Respondents question whether the Appellant complied with the Court's letter of September 8, 2016, requiring providing of proper proof of service of the motion;

5. Appellant states she has a defense that demands representation, yet provides no specifics or attached affidavit to explain this assertion.

Because of these reasons, Respondent feels he cannot consent to the Appellant's motion, and looks to the Court's discretion in granting or denying the Appellant's motion.

Respectfully submitted,



Daniel E. "Ernie" Peagler
Michael Johnson, P.C. & Associates
2001 Lincoln Street
Columbia, South Carolina 29201

Attorney for City of Cayce

September 21, 2016

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SC Court of Appeals

CERTIFICATE OF SERVICE BY MAIL

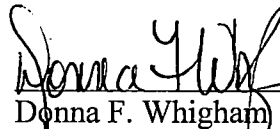
I, Donna F. Whigham, paralegal with Michael Johnson & Associates, P.C. hereby certify that I have on this day served the following in the matter of City of Cayce v. Mamie Jackson, with a copy of the **Return/Reply to Appellant's Motion to Suspend Appeal and Request for Appointed Counsel for the Appeal**, by depositing the same in the United States Mail with adequate postage thereon, addressed as follows:

William Hodge, Esquire
1513 Hampton Street – Suite 100
Columbia, SC 29201

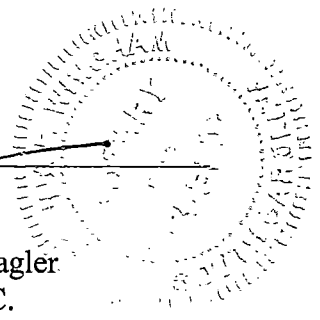
CERTIFIED MAIL/RETURN RECEIPT & U.S. MAIL

Ms. Maime Jackson
P.O. Box 1011
Columbia, SC 29202-1011

I also hereby certify that a regular communication by mail exists.


Donna F. Whigham

Paralegal to
Daniel E. "Ernie" Peagler
Notary Public for S.C.
My Commission Expires: 08/06/2018



September 21, 2016

R. Michael Johnson, Jr.
Daniel E. "Ernie" Peagler



September 21, 2016

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: City of Cayce v. Mamie Jackson
Appellate Case No. 2015-002113

Dear Madam Clerk:

Please note I will be the attorney of record for this case from this point forward for the City of Cayce, please forward all correspondence to my attention to the office address below.

Daniel E. "Ernie" Peagler, Esquire
Michael Johnson, P.C. & Associates
2001 Lincoln Street
Columbia, South Carolina 29201

Please find enclosed my **Return/Reply to Appellant's Motion to Suspend Appeal and Request for Appointed Counsel for the Appeal** in regards to the above referenced matter.

Also, by copy of this letter to Mamie Jackson, I am advising her of the same and request she copy me with all correspondence to the Court. Attorney William Hodge also consents to my being counsel of record, and by copy of this correspondence to him, I am confirming to him I will handle this matter from this point forward.



Columbia | Fort Mill

Sincerely,

A handwritten signature in black ink, appearing to read "D. Peagler".

Daniel E. "Ernie" Peagler

2001 Lincoln Street
Columbia, SC 29201

P: 803.814.0500
F: 803.814.0549

DEP/dw
Enclosures

cc: William Hodge, Esquire
Mamie Jackson

Daniel E. "Ernie" Peagler, Esquire
Michael Johnson, P.C. & Associates
2001 Lincoln Street
Columbia, SC 2920101



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The Honorable Jenny Abbott Kitchings
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South Carolina Court of Appeals
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