

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LANCASTER COUNTY
COURT OF COMMON PLEAS

H. CLAYTON WALKER, JR., SPECIAL REFEREE

CASE NO. 2015-002243

RECEIVED

JAN 31 2017

SC Court of Appeals

Evelyn Lowery, Respondent,

VS.

Eula M. Daniels, Darrell Waiters, Monique Thompson, Phinessa R. Waiters, Pearl Mahjoub, Tommie Lee James, John William James, William C. Waiters, Mary L. Bailey, James C. Bell, William Bailey, Harold Bascomb, Romona Bascomb, Nakia Williams, Nerisse Williams, Carlton McPhaul, Donnell McPhaul, Idell R. Waiters, Ella R. Waiters, Eddie Waiters, Elizabeth Ann Moore, Donald Waiters, Brenda Wade, Glenda Waiters, Wilric Waiters, Dorothy Johnson, Ruth Jordan, Ronald Sweet, Donald Johnson, David Lee Richardson, Raymond Richardson, Lafayette Richardson, Jr., Robert C. Richardson, Bill Moses, Margaret Jones, Herman Sweet, Jr., Reginal Coleman, Ronald Coleman, Michael Coleman, Sharon Coleman, Tammy Coleman, Bridgette Coleman, Delfreda Coleman, Phillip Hatchet, Iceola Weeks, Charles Burt, Theodore R. Brewer, Leola Waiters, Betty J. Catoe, Carrie Waiters, Ernest L. Waiters, Irene Carr, Janice Dixon, Donald F. Waiters, Rayford J. Waiters, Carolyn McKenny, Larry Waiters, Denise Allen, Kevin Waiters, Ginger Ann Waiters, Harry Waiters, III, Deshone Waiters, Willie W. Addison, Bessie M. Waiters, Linda D. Addison, Angelet Hardin, Irene Sanders, Joseph Coleman, Jr., Wyle Mingo, Joyce Ann Benjamin, Gary W. Coleman, Jr., Lilyan A. Coleman, John C. Waiters, Estate of Anna B. Waiters, Anna E. Perkins, Willie James Hall, Lena Tibbs, Janese R. Allen, Leonard Hall, Jr., Clinton James Hall, Leotis Hall, Christine C. Hall, Alma R. Grant, Pearl Hall, Mary Hall, Mark Hall, Kevin Hall, Doris Hall, Iris Hall, Maggie Hall, Jimmy L. Hall, Jr., Marilyn Hall, Lowarren Hall, Clifton Hall, Dywayne Hall, Novella Hall, Lenonne Addison, Brendetta Hall, NaSheqeca Bekia Hall, Marquavious Tramle Hall, Sabrina McWaters, Renonia Church, Gwen McWaters, Jacqueline McWaters, Renee McWaters, Connie C. Parker, Alice C. Truesdale, Eliza C. Truesdale, Roy Caskey, Randy Caskey, Maggie Caskey, Leon Caskey, III, Sharon Harris, Eliza Furgerson, David Hall, Robert Hall, Joseph Hall, Henrietta Hall, Linda Duncan, M. L. Hall, Alvin Hall, Oscar Hall, Jr., Laura Mae Hall, Stanford Hall, Anna Hall, Patricia H. Bentley, Casey Hall, Janie Hall, Janie Douglas, Mary Bradlee, Elizabeth Hall, Teresa Pope, Devron Wright, Dyron J. Hall, Romelle Simpson, Estate of Alma Tilman, Ren Tilman, Chris Waiters, if living and if any of the said Defendants are deceased, then their heirs or devisees at law, and all other persons claiming any right, title, interest in or lien upon the real estate described herein, and any unknown infants or persons under disability or persons in the military service

hereby designated as a class John Doe and Jane Roe,

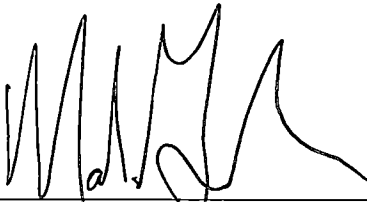
Of whom Kevin Waiters is the Appellant,

RESPONDENT'S RETURN TO APPELLANT'S MOTION FOR EXTENSION

The Respondent Evelyn Lowery received service of the Appellant's Motion for Extension on January 27, 2017. Appellant's Motion was dated and certified as deposited in the United States mail on January 20, 2017 and postmarked however on January 24, 2017 (See Exhibit "A". Appellant's Motion states that Appellant "makes this motion based on the request by opposing counsel for changes" and that "I was not able to locate the requested documents. Counsel has reached out to the attorney for Respondent in an effort to obtain the necessary documents to amend the Record on Appeal."

Respondent's Return to Appellant's Motion for Extension would inform the Appellant and this Honorable Court that all of the documents omitted in the Record of Appeal are stated in Respondent's Motion To Require Conformity of Record on Appeal and For Extension of Time to File Final Brief, a copy of which was served on Appellant, and that all of those documents are located in the case file in the Office of the Clerk of Court for Lancaster County, which is where the Appellant should direct efforts to obtain the necessary documents to amend the Record on Appeal.

January 27, 2017



Marion H. (Mark) Grier, Jr.
Attorney for Respondent Evelyn Lowery
PO Box 1809
Lancaster, South Carolina 29721
(803) 289-0241

Metts Law Firm, LLC
3531 River Drive
Columbia, SC 29201

COLUMBIA SC 290

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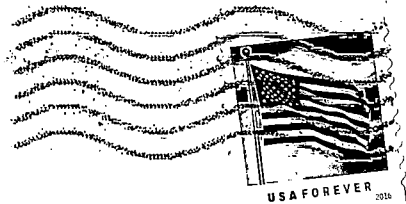


EXHIBIT "A"

CONFIDENTIAL

Mark Grier, Jr.
PO Box 1809
Lancaster SC 27721

605001-14850



THE STATE OF SOUTH CAROLINA
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and any unknown infants or persons under disability or persons in the military service hereby designated as a class John Doe and Jane Roe,

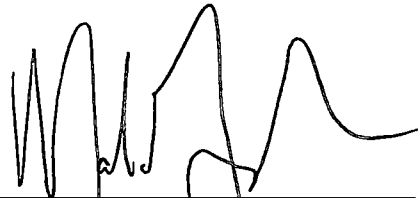
Of whom Kevin Waiters is the Appellant,

APPELLATE CASE NO. 2015-002243

PROOF OF SERVICE

I, Marion H. Grier, Jr., attorney for the Respondent Evelyn Lowery certify that the Respondent's Return to Motion for Extension of Time in the above-captioned matter has been served upon the following by depositing a copy of it in the United States Mail with the proper postage attached thereto on the 28th day of January, 2017, addressed:

M. Rita Metts, Esq.
for Appellant
3531 River Drive
Columbia, SC 29201



Marion H. (Mark) Grier, Jr.
Attorney for Respondent Evelyn Lowery
PO Box 1809,
Lancaster, South Carolina 29720
(803) 285-5534

MARK GRIER

MARION H. GRIER, JR.
ATTORNEY AT LAW
POST OFFICE BOX 1809
LANCASTER, SOUTH CAROLINA 29721
TELEPHONE (803) 285-5534

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SC Court of Appeals

January 27, 2017

The Honorable Jenny Abbot Kitchings
Clerk, Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Evelyn Lowery, Respondent v. Eula M. Daniels, et. al. (Kevin Waiters, Appellant)
Case No. 2015-002243

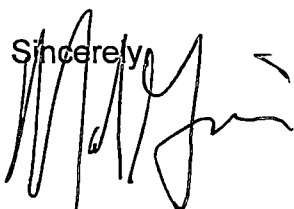
Dear Ms. Kitchings:

Enclosed for filing are the following:

1. The original and (1) copy of the Respondent Evelyn Lowery's Return to Motion For Extension; and
2. Proof of Service of Respondent Evelyn Lowery's Return to Motion For Extension; and
3. A SASE for the return copy.

Thanking you I am,

Sincerely,



Mark Grier
Attorney for Respondent Evelyn Lowery

Enclosures

cc: M. Rita Metts, Esq

MARK GRIER

MARION H. GRIER, JR.
ATTORNEY AT LAW

POST OFFICE BOX 1809
LANCASTER, SC 29721-2458



USA FOREVER 2016



USA FOREVER 2016



USA FOREVER 2016

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SC Court of Appeals

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JAN 31 2017

SC Court of Appeals

THE HONORABLE JENNY ABBOT KITCHINGS

CLERK COURT OF APPEALS

POST OFFICE BOX 11629

COLUMBIA, SC 29211