

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals  
APPEAL FROM WILLIAMSBURG COUNTY  
COMMON PLEAS

W. HAIGE PORTER, PRESIDING JUDGE

Case No. 2010-CP-45-393

**RECEIVED**

APR 03 2017

**SC Court of Appeals**

THE ESTATE OF JOSEPH S. SMITH  
A.K. J.S. SMITH, JR. BY ITS  
PERSONAL REPRESENTATIVES,  
GENEVA S. HALL, AND JOSEPH KEITH  
RAY

Respondent

v.

PATRICK S. SMITH, SANDRA B.  
SMITH, THOMAS LEWIS SMITH,  
ELIZABETH S. KAPPELER, GLORIA  
DARLENE HALL SMITH, COURTNEY  
ELIZABETH SMITH, TIFFANY ELAINE  
SMITH, JOSEPH SAMPSON SMITH, IV  
CHARLES RICHARD RAY, JR., JOHN  
DOE, AND JAN DOE, ET AL,

Appellant

AFFIDAVIT OF BARBARA F. HUSSEY

SWORN to and before me this 27<sup>th</sup> day of March, 2017 the deponent states as follows:

My name is Barbara F. Hussey and I am the office manager for Coffey & McKenzie, PA. Part of my duties as office manager is to gather the mail daily as well as handle all accounting for the firm. In the collecting and disturbing of the mail I do not recall receiving a package from Ms. Andrea Kelly. I have also searched through our banking records and I further do not see where a check was sent to Ms. Kelly for a transcript. More specifically I do not see where a check was written to Ms. Kelly for the months of December 2016 through the present date.

FURTHER the deponent sayeth not.

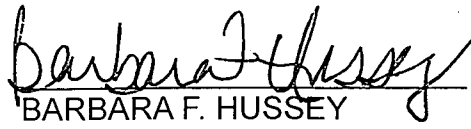
SWORN to and before me this 27<sup>th</sup>

March, 2017

A handwritten signature in black ink, appearing to be 'J. B.', written over a horizontal line.

NOTARY FOR SC

MY COMMISSION EXPIRES: 3/29/23

A handwritten signature in black ink, reading 'Barbara F. Hussey', written over a horizontal line.  
BARBARA F. HUSSEY

cc: Gregory B. Askins  
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PO Box 10  
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Mr. Thomas Smith  
Individually & as Personal Representative  
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March 27, 2017

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The Honorable Jennie Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211.

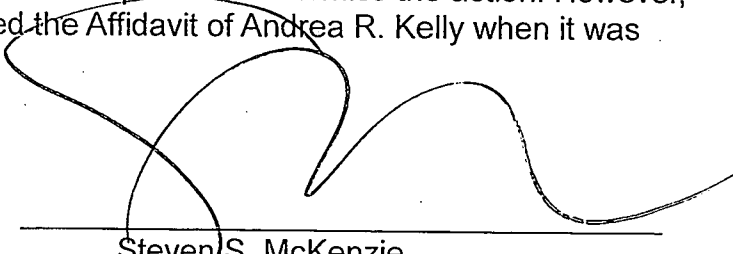
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RE: THE ESTATE OF JOSEPH S. SMITH, A.K. J.S. SMITH, JR. BY ITS,  
PERSONAL REPRESENTATIVES, GENEVA S. HALL, AND JOSEPH KEITH  
RAY vs. PATRICK S. SMITH, SANDRA B. SMITH, THOMAS LEWIS SMITH,  
ELIZABETH S. KAPPELER, GLORIA, DARLENE HALL SMITH, COURTNEY  
ELIZABETH SMITH, TIFFANY ELAINE SMITH, JOSEPH SAMPSON SMITH, IV  
CHARLES RICHARD RAY, JR., JOHN DOE, AND JAN DOE, ET AL

Dear Ms. Kitchings:

Pursuant to South Carolina Appellant Rule 207(a) § (5) please be advised that this office has not received a copy of the transcript in the time allotted nor received notification of an extension of the time allotted.

We have received a Motion from the Respondent to dismiss the action. However, would note that the first time we received the Affidavit of Andrea R. Kelly when it was attached to the Motion.



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