

J. FALKNER WILKES

Attorney at Law

114 Whitsett Street
Greenville, South Carolina 29601

Telephone: (864) 282-1292
Facsimile: (864) 271-6035

September 11, 2017

Jenny Abbott Kitchings
Clerk of the Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

SEP 13 2017

SC Court of Appeals

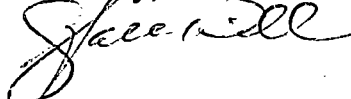
Re: Polly Thompson v. Cathy Swicegood, 2014-CP-37-00143
Appellate Case No. 2015-001860

Dear Ms. Kitchings,

This is in reply to the Respondent's letter entered 09/05/2017 renewing her prior motion to strike the Reply. The Court's entry in C-track shows the Respondent's letter of 09/05/2017 as a motion to strike. As I understand, the Respondent's 09/05/2017 letter does not constitute a new motion, but rather it renews the same motion she filed April 8, 2016. The Court never ruled on the Respondent's prior Motion to Strike as an Order to Stay the appeal was entered on April 14, 2016.

I am enclosing a copy of my April 11, 2017 response to the Respondent's Motion to Strike, which I would like to renew as well. If I need to do anything further in regards to the Respondent's renewal of her prior motion please let me know.

Sincerely,



J. Falkner Wilkes

c:

Ms. Margaret A. Chamberlain
Chamberlain Law Firm, LLC
600 Pettigru Street
Greenville, SC 29601
Attorney for Respondent

79268

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM OCONEE COUNTY
COURT OF COMMON PLEAS
Ellis B. Drew, Master in Equity

APR 14 2016

SC Court of Appeals

Case No. 2014-CP-37-00143
Appellate Case No.: 2015-001860

Polly Thompson, Respondent,
v.
Cathy Swicegood, Appellant.

RETURN TO MOTION
AND MOTION TO ACCEPT REPLY OUT OF TIME AS FILED

Appellant submits the following in response to the Respondent's Motion to Strike. Appellant further moves to have this Court accept the Reply and Amended Designation of Matter out of time as filed.

On December 4, 2015 the Appellant filed and served the Appellant's Initial Brief and Designation of Matter. On December 5, 2015, Appellant moved to stay the appeal pending the resolution of the issue of marriage between the parties in (Appellate Case No.: 2014-001109). Appellant was under the impression that the prior motion to stay the appeal would stay the time until a ruling on Appellant's motion to stay. On March 4, 2016, Respondent filed her

Initial Brief. Appellant, under the belief that the time was stayed, filed the Reply of the Appellant and Amended Designation of Matter on March 27, 2016.

There has been no harm to the substantive or procedural rights of any party to the case. Nor would the acceptance of the Reply present any procedural prejudice to the Respondent. The Reply is necessary for this Court to fully address the issues in the case, and responds in particular to the issue of jurisdiction, which may be raised at any time.

Wherefore, Appellant moves to have the Court accept the Reply of the Appellant and Amended Designation of Matter out of time as filed.

Respectfully submitted,



J. Falkner Wilkes (SC Bar #12893)
114 Whitsett Street
Greenville, SC 29601
(864) 282-1292
Counsel for Appellant

April 11, 2016.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APR 14 2016

SC Court of Appeals

APPEAL FROM OCONEE COUNTY
COURT OF COMMON PLEAS
Ellis B. Drew, Master in Equity

Case No. 2014-CP-37-00143
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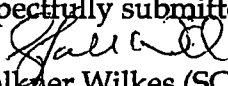
Polly Thompson, Respondent,
v.
Cathy Swicegood, Appellant.

CERTIFICATE

I certify that on April 11, 2016, I served the Appellant's Return and Motion seeking the Court to accept the Reply and Designation as filed out of time on the Respondent by placing a copy of same in the United States Mail, first class postage prepaid, addressed to counsel of record and others as indicated below:

Ms. Margaret A. Chamberlain
Chamberlain Law Firm, LLC
Chamberlain Law Firm, LLC
600 Pettigru Street
Greenville, SC 29601
Attorney for Respondent

Respectfully submitted,


J. Falkner Wilkes (SC Bar #12893)
114 Whitsett Street
Greenville, SC 29601
(864) 282-1292
Counsel for Appellant

April 11, 2016.

J. FALKNER WILKES

Attorney at Law

114 Whitsett Street
Greenville, South Carolina 29601

Telephone: (864) 282-1292
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April 11, 2016

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SC Court of Appeals

Re: Polly Thompson v. Cathy Swicegood, 2014-CP-37-00143
Appellate Case No. 2015-001860

Dear Ms. Kitchings,

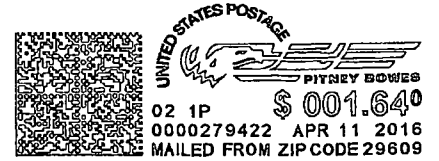
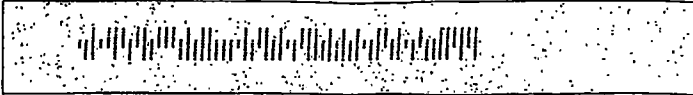
It was my understanding that the time was stayed pending a ruling on the earlier motion to stay the appeal. As a result I did not file the Reply and Designation until March 27th. The Respondent has filed a motion to strike the Reply because it was not filed on March 14th.

I am enclosing a Return and Motion explaining my actions and requesting that the Reply and Designation be accepted as filed. As this is a return and motion I have enclosed a check for the filing fee.

Sincerely,



J. Falkner Wilkes

c:
Ms. Margaret A. Chamberlain
Chamberlain Law Firm, LLC
600 Pettigru Street
Greenville, SC 29601
Attorney for Respondent

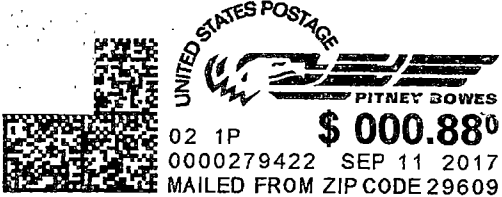
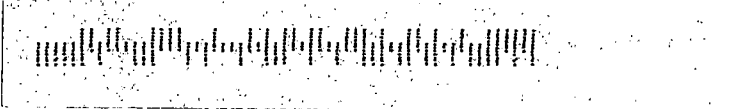


J. Falkner Wilkes, Attorney-at-Law
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