

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Special Referee for Common Pleas

John F. Byrd, Jr., Special Referee

Case No. 2014-CP-19-097
Appellate Case # 2017-000997

RECEIVED
NOV 06 2017
SC Court of Appeals

Beverly Ann Gilchrist,

Appellant,

v.

Respondents,

Florence Miles, Jimmy Glover, Albert Glover, Tommy Glover, Mary M. Bibbs, Annie Jefferson, Barry Shedrick, Myra S. Padgett, Wade Shedrick, Randy Glover, Genie Miles, Freddie Glover, Jr. Aaron Glover, Steven R. Glover, Terrie G. Frazier, Odell Glover, Doretha Sander, Michael Holmes, Jackie James, Donnell Hampton, Yvonne Forrest...Including any children and heirs at law or distributees and devisees and all persons entitled to claim under or through them, and all other persons unknown claiming any right, title or interest in a lien upon the real estate described in the Complaint herein, any unknown adults being a class designated as John Doe; and any unknown infants, minors or persons under a legal disability including those in the military service of the United States of America, being a class designated as Richard Roe,

**Notice of Motion and
Motion**

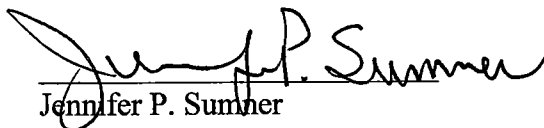
Please take notice that on November 3, 2017 the undersigned will move before the Court for the granting of the relief requested herein. Respondent Odell Glover, through his attorney, moves the Court as follows:

1. To consider the deadline for filing of a responsive initial brief and designation of matter by the Respondent herein to be November 19, 2017 consistent with the 30-day response period provided for in Rule 208 (2) of the Appellate Rules of South Carolina.
2. To consider that in the Court's correspondence to appellant dated October 9, 2017 and copied to Respondent, the Court advised the Appellant that **until** the previously outlined deficiencies were corrected "in their entirety" the appeal could not proceed and risked dismissal, one of which deficiencies was the Designation of Matters, which is a requirement for filing of an initial brief as outlined in Rule 209 (a) of the Appellate Rules of South Carolina.
3. To consider that the appellant did not serve the corresponding brief upon Respondent until October 19, 2017 as evidenced by the postmark on the attached photocopy of the envelope in which the brief was received.
4. To consider that the Appellant's Proof of Service of said brief is inaccurate in that the filing with the Court indicates a service date of October 16, 2017, however, the document served had been filed with the Court on October 19, 2017 as evidenced by the attached copy and as reflected in the postmarked envelope referenced in paragraph 3 herein.
5. To consider that the Respondent was unable to prepare his responsive brief without the

benefit of the Appellant's Designation of Matters which was not provided by the Appellant until that service of October 19, 2017.

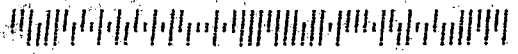
6. To consider the application of the 30-day response period to begin upon the date of service of the Appellant's completed Initial Brief and Designation of Matters, that date being October 19, 2017, would not be prejudicial to the Appellant or the other Respondents in this matter.

And for such other and further relief as this Court may deem just and proper.



Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent Odell Glover

November 3, 2017
Edgefield, SC



Beverly Ann C
132 Samuel E.
renton, SC 29847 PRO/SE



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EDGEFIELD, SC
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Attory: Jennifer P. Summers, Esquire
P.O. Box 502
Edgefield, SC
29824

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received
10/27/17

Beverly A. Gilchrist
132 Samuel E. Diggs Rd.
Trenton, SC 29847

RECEIVED
OCT 19 2017
SC Court of Appeals

October 16, 2017

PH.# (803)552-2677

E-mail : beverlybrowngilchrist62@yahoo.com

Cc: Jennifer P. Summers, Esquire;

P.O. BOX 502

Edgefield, SC 29824

Ph.# (803)637-7034

Attorney'(s) of...Record;

Appellant.....BEVERLY ANN GILCHRIST

Vs.

Respondent'(s) : Florence Miles, & et al'(s)

Case : NO. 2017-000997

.....
"PROOF OF SERVICE"

MEMORANDUM OF CITATIONS

APPELLATE COURT RULES OF SOUTH CAROLINA

Rule 208(2)

Rule 209(a)

PROOF OF SERVICE OF MOTION

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Yvonne Forrest...Including any children and
heirs at law or distributees and devisees and
all persons entitled to claim under or through
them, and all other persons unknown
claiming any right, title or interest in a lien
upon the real estate described in the
Complaint herein, any unknown adults being
a class designated as John Doe; and any
unknown infants, minors or persons under a
legal disability including those in the military
service of the United States of America,
being a class designated as Richard Roe,

Respondent.

Respondents

PROOF OF SERVICE

I certify that I have served the Motion dated November 3, 2017 on the attached list of Respondents by depositing a copy of it in the United States Mail, postage prepaid, on November 4, 2017 addressed to the addresses as they appear on the attached list.



Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent Odell Glover

November 3, 2017
Edgefield, SC

**PROOF OF SERVICE
RESPONDENTS**

Mary M. Bibbs
127 SE Diggs Road
Trenton, SC 29847

Aaron Glover
3312 Highway 19
Trenton, SC 29847

Annie Jefferson
3350 Highway 19
Trenton, SC 29847

Terrie Frazier
3312 Highway 19
Trenton, SC 29847

Barry Shedrick
1131 Watson Road
Trenton, SC 29847

Albert Glover
123 Diggs Rd.
Trenton, SC 29847

Myra S. Padgett
1131 Watson Road
Trenton, SC 29847

Tommy Glover
200 Greenland Drive
North Augusta, SC 29841

Wade Shedrick
1131 Watson Road
Trenton, SC 29847

Randy Glover
325 Parker Street
Johnston, SC 29832

Freddie Glover, Jr.
325 Parker Street
Johnston, SC 29832

Florence Miles
31 Carrie Lane
North Augusta, SC 29860

Jimmy Glover
5 Yates Lane
Trenton, SC 29847

Steven Glover
3312 Highway 19
Trenton, SC 29847

PROOF OF SERVICE OF MOTION

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
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John F. Byrd, Jr., Special Referee

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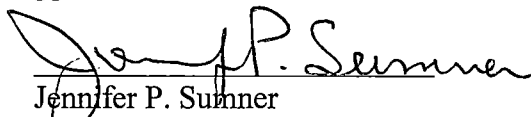
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Padgett, Wade Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr. Aaron
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Odell Glover, Doretha Sander, Michael
Holmes, Jackie James, Donnell Hampton,
Yvonne Forrest...Including any children and
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all persons entitled to claim under or through
them, and all other persons unknown
claiming any right, title or interest in a lien
upon the real estate described in the
Complaint herein, any unknown adults being
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unknown infants, minors or persons under a
legal disability including those in the military
service of the United States of America,
being a class designated as Richard Roe,

Respondent.

Respondents

PROOF OF SERVICE

I certify that I have served the Motion dated November 3, 2017 on Beverly Ann Gilchrist by depositing a copy of it in the United States Mail, postage prepaid, on November 4, 2017 addressed to her address of record 132 Samuel E. Diggs Rd., Trenton, SC 29847.



Jennifer P. Sumner

Post Office Box 502

Edgefield, South Carolina 29824

(803) 637-7034

Attorney for Respondent Odell Glover

November 3, 2017
Edgefield, SC

SUMNER LAW FIRM, LLC
ATTORNEY AT LAW

300 Main Street
Post Office Box 502
Edgefield, South Carolina 29824

Jennifer P. Sumner
jennifer@sumnerlawfirm.us

November 3, 2017

RECEIVED
Telephone (803) 637-7034
Facsimile (803) 637-7117
NOV 06 2017
SC Court of Appeals

VIA UPS OVERNIGHT

Jenny Abbott Kitchings
Clerk
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Beverly Gilchrist v. Florence Miles, et al.
Appellate Case No. 2017-000997


Dear Ms. Kitchings:

Please find enclosed on behalf of Respondent Odell Glover the following: Motion with attached documentation, 6 copies thereof, Proof of Deliveries for other parties and a check for \$25.00 representing the applicable filing fee, in response to correspondence received from the Court dated October 30, 2017.

Please let me know if you need anything further at this time.

Sincerely,

SUMNER LAW FIRM, LLC



Jennifer P. Sumner

JPS/hpk

SUMNER LAW FIRM, LLC
803-637-7034
SUMNER LAW FIRM, LLC
300 MAIN STREET
EDGEFIELD SC 29824

0.0 LBS LTR

1 OF 1

SHIP TO:

JENNY ABBOTT KITCHINGS, CLERK
SC COURT OF APPEALS
1220 SENATE STREET

COLUMBIA SC 29201-3769

RECEIVED

NOV 06 2017

SC Court of Appeals

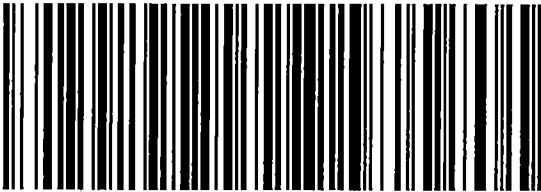
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UPS NEXT DAY AIR

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BILLING: P/P

Reference#1: 14-290 Glover

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