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C. HOLMES, M.D.

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RECEIVED
FEB 20 2018
SC Court of Appeals

SCCOA
1220 Senate St.
Columbia, SC 29201

Re: Holmes v. Becker et al
App. Case No. 17-002403

Dear Jenny:

Happy Presidents' Day to you and your kind staff! We are writing to request extension of time to file return to Respondents motion with abeyance request. Enclosed please find the filing fee.

Significantly and materially, Pro Se Defendants James Y. Becker and Manton Grier filed motion in the circuit court in this Case # 2007-CP-10-01444 on September 29, 2017. By that motion, Pro Se Respondents James Y. Becker and Manton Grier have now admitted they have no ownership rights or interests and, therefore, have no standing. *Georgetown Cty. League of Women Voters v. Smith Land Co., Inc.*, 393 S.C. 350, 713 S.E.2d 287 (S.C. 2011). Further, enclosed please find a copy of this Honorable Court's correspondence dated February 24, 2017. That correspondence states that the Respondents are James Y. Becker and Manton Grier, who now admit lack of standing.

Moreover, a corporation is not allowed to appear Pro Se in appellate courts. Black's Law Dictionary, 5th Ed., defines Pro Se as: "For Himself; in his own behalf." Corporations, which are

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artificial creatures of state law, do not have a right to appear pro se. See S.C. Code Ann. § 40-5-320 (1986). See *Days Inn Worldwide, Inc. v. JBS, Inc.*, No. 08-1771, 2010 WL 625391, *2 (D.S.C. Feb. 19, 2010) ("It is well-settled that a corporation may not represent itself."). See *Renaissance Enters., Inc. v. Summit Teleservices, Inc.*, 515 S.E.2d 257, 258 (S.C. 1999); *In re Easler*, 275 S.C. 400, 272 S.E.2d 32 (1980); *State v. Despain*, 319 S.C. 317, 460 S.E.2d 576 (1995). "In *State v. Wells*, 191 S.C. 468, 5 S.E.2d 181 (1939), this Court held that a corporation must act through licensed attorneys in legal matters. That holding was modified in *In re Unauthorized Practice of Law*, 309 S.C. 304, 422 S.E.2d 123 (1992), in which the Court held a non-lawyer, officer, agent, or employee may represent a business entity pursuant to S.C.Code Ann. § 40-5-80 (1986) in civil magistrate's court proceedings. The Court stated further that the magistrate shall require a written authorization from the entity's president, chairperson, general partner, owner or chief executive officer." *Brown v. Coe*, 365 S.C. 137, 616 S.E.2d 705 (SC 2005). The cover letter with Respondents Motion to Dismiss reflects it was filed by employees of the corporation and, therefore, pro se. In addition, there is no written authorization from corporate executive. In *Renaissance Enters., Inc. v. Summit Teleservices, Inc.*, *supra*, the Court held that a corporation may appear pro se only in magistrate's court. The Motion filed February 7, 2018, is a nullity. *Brown v. Coe*, *supra*. Accordingly, it must be vacated/dismissed.

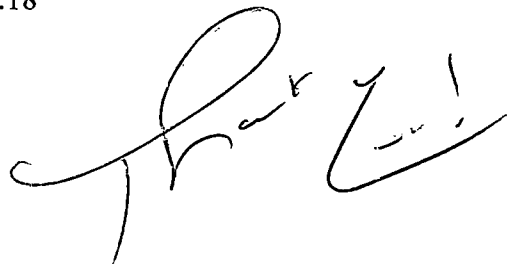
Many thanks for your kind consideration and with best personal regards, I am

Yours very truly,



C. Holmes, M.D.

2.16.18



cc: Pro Se Defendants' Counsel

M.M. Caskey
1201 Main St. #2200
Columbia, SC 29201

This is to advise that the title in the above matter has been changed to read as follows:

Cynthia Holmes, Appellant,

v.

Haynsworth, Sinkler & Boyd, P.A., successor to Sinkler & Boyd, P.A.; Manton Grier; and James Y. Becker, Defendants,

Of whom Manton Grier and James Y. Becker are Respondents.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Tommy Abbott Kitching

CLERK

cc: James Y. Becker, Esquire
Manton M. Grier, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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February 24, 2017

Cynthia Holmes
PO Box 187
Sullivan's Island SC 29482

Re: Cynthia Holmes v. Haynsworth (3)
Appellate Case No. 2017-000266

Dear Dr. Holmes:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

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