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SC Court of Appeals

February 28, 2018

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

RE: Ferguson v. Mill Creek, LP, Civil Action No. 2018-000142

Greetings:

In order to comply with Rule 241(d)(2) I need some clarification on events. The trial court stated that your office indicated the appeal of 2013CP2305102 did not cover 2013CP2301810. Subsequently, the lower court issued a ruling that dispositive motions could proceed in 1810 – despite 5102 being joined via the order on appeal. Based on that directive an appeal specific to 1810 was filed along with a motion for supersedas.

Currently I have received a motion to dismiss from plaintiff related to 1810 via USPS, an email stating CoA ruled on the motions via 5102, and a lower court saying they have control over the case again based on representations from opposing counsel.

I show the following filings:
Notice of Appeal from 5102
Motion to Dismiss 1810
Response to Motion to Dismiss
Notice of Appeal from 1810
Motion for Supersedas
Motion to Dismiss

I am unclear on whether the Court did away with the timelines for responding to motions? Such as the motion to dismiss filed in 1810 or whether it still requires a response. This would also be relevant to the petition for the full court pursuant to Rule 241(d)(2) certifying the underlying procedural elements.

Best regards,



Ronald J. Ferguson