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April 11, 2018

VIA US MAIL & email to: jkitchings@sccourts.org
South Carolina Court of Appeals
ATTN: Jenny Abbott Kitchings, Clerk of Court
P.O. Box 11629
Columbia, SC 29211

Re: Fisher v. Huckabee
Appellate Case No.: 2018-00056

Dear Ms. Kitchings,

I am in receipt of letter dated April 11, 2018 submitted by Lisa Fisher, Appellant, via email. This letter is to inform the Court that Respondents oppose Ms. Fisher's Petition for Supersedeas and request for emergency ex parte review. We are preparing and do indeed intend to file a response to her Petition within the time provided for doing so under Rule 240, SCACR. Respondents oppose Ms. Fisher's request for emergency review and object to requested stay for reasons as will be fully set forth in our response. While Ms. Fisher suggests it would be proper for the Court to review her request on an emergency ex parte basis based on the contents of her petition alone without waiting for Respondents' reply, her Petition does not set forth the requisite exigent circumstances warranting application of Rule 241(d)(6), SCACR.

Her contention, and basis for her claim, that Judge Hughston's April 3, 2018 Order denied Appellants the right to bring their Rule 59 motions is false. Judge Hughston's Order from which Appellant's seek relief was filed on March 21, 2018 and the parties were notified of filing via email on March 22, 2018 (see attached). Therefore, the ten-day period to file Rule 59 motions ended on April 1, 2018, which was a Sunday, making the final day for filing April 2, 2018. As to the accuracy/veracity of the rest of Ms. Fisher's arguments, Respondents are properly preparing Return, supported by authority, pursuant to the Appellate Court Rules.

Respondents therefore object to Ms. Fisher's request for emergency review and to the requested ex parte stay, as Ms. Fisher has not demonstrated any circumstances under which the Court would grant such emergency relief.

Sincerely,


Jessica L. Crowley

CC: Honorable Thomas L. Hughston (via email only)
W. Westbrook Wills, III (via email only)
Lisa Fisher, Esq (via email only)
Hon. Mary Frances Jowers, Esq. (via email only)



Jessica Crowley <jcrowleylawfirm@gmail.com>

My Cases Notification

1 message

My Cases Notification <Notifications@courtplus.org>

Thu, Mar 22, 2018 at 2:35 PM

Reply-To: DoNotReply@courtplus.org

To: JCROWLEYLAWFIRM@gmail.com

List of notifications for User Account: JACICROWLEY

2009CP1003010

Alice Shaw Baker , plaintiff, et al VS Bessie Huckabee , defendant, et al

ORDER FILED ON 03/21/2018

Note: This is an auto-generated e-mail sent from an unmonitored account. Therefore, please do not reply to this e-mail.



Jessica Crowley <jcrowleylawfirm@gmail.com>

Re: Fisher v. Huckabee 2009-CP-10-3010, also Appellate Case 2018-000604

1 message

Hughston, Thomas L. <thughstonj@sccourts.org>

Mon, Apr 9, 2018 at 1:49 PM

To: "Shearouse, Daniel" <DShearouse@sccourts.org>

Cc: lisa fisher <lfisher6736@gmail.com>, John Cooper <shiplaw@jhcooper.com>, "Fulp, Kenneth" <kfulp@bcgov.net>, Jaci <jcrowleylawfirm@gmail.com>, "W. Westbrook Wills III" <wwills@wwillslaw.com>

Dear Mr. Shearouse:

In response to the Affidavit of Lisa Fisher and Betty Fisher of April 7, 2018 which I received today, I state that my first Post Trial Order was on April 3, 2018, more than 10 days after my Order was filed with the Clerk of Court on March 21, 2018 and I believe would have been available online by March 22, 2018. Therefore, I thought my Order of April 3 was beyond the 10 days allowed for Post Trial Motions. If I am mistaken in regard to this sequence of events and conclusions, I will be glad to consider any Post Trial Motions on directions to do so by the Supreme Court of South Carolina, or if appropriate, the Court of Appeals.

I await your instructions.

Respectfully submitted,

Thomas L. Hughston, Jr.

From: Hughston, Thomas L.
Sent: Thursday, March 29, 2018 9:47 AM
To: W. Westbrook Wills III; Jessica Crowley
Cc: lisa fisher; John Townsend Cooper; John Cooper
Subject: Re: Fisher v. Huckabee 2009-CP-10-3010

Dear Attorneys:

I received the Plaintiffs' Motion to Vacate Order Compelling Financial Disclosure. I have considered it and deny this Motion. You have until April 1, 2018 to comply or face contempt of court and other sanctions.

Thomas L. Hughston, Jr.