

STATE OF SOUTH CAROLINA
In The court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable Deadra L. Jefferson, First Judicial Circuit
The Honorable Edgar W. Dickson, First Judicial Circuit
Honorable Maite Murphy, First Judicial Circuit

RECEIVED
FEB 21 2019
SC Court of Appeals

Case No. 2016-CP-18-1706
Appellate Case No. 2018-002185

Molly M. Morpew,

Appellant

v.

Stephen Dudek, Doreen Cross, Carolina One,
Carolina One, Susan Nicholson, Wooddy Law
Firm, Carrie Boyer, First Federal, Allison
Williams, David A. Collins, Michael Scarafile

Respondents

**APPELLANT’S MOTION TO EXTEND TIME
TO FILE INITIAL BRIEF(S) AND REPLY BRIEF(S)**

Appellant, Molly M. Morpew (hereafter “Morpew”), hereby respectfully asks this court to extend the time for Morpew to file its Initial Brief, and its Reply Brief.

Morpew has received the 3rd and final transcript, and after reviewing them, and due to the complexity of this case and the amount of issues and Respondents, brings this Motion

respectfully seeking this Court's approval to grant Appellant an extension of time to file its Initial Brief(s), and any Reply Brief(s) conversely.

All in all, there are respectively 15 Orders on appeal, 3 transcripts, 24 Motions, answers or responses in which those orders were based on, and 10 Respondents (one which is self-represented) and 3 individual counsels of record.

Further, Morphew has never requested an extension in this matter or any matter presented to this court, and has always met the time constraints per the rules of this court, even while working a full time job and a homeschooled daughter, who has a substantial medical condition and now requires monitoring 24/7.

As a result of her daughter's condition, Morphew is in the midst of seeking alternate living arrangements and a move, which is to be accomplished on or before March 28th, 2019. Though Morphew owns a home in Summerville in which she should be able to reside in, she is unfortunately unable to live there due to an attack to Morphew's property by Respondents Stephen Dudek and Doreen Cross (hereafter, "the Dudeks") in early 2018, making habitation impossible until remedied. When the Dudeks had refused to amicably resolve the issue of a water easement out of court, and instead in a hostile and malicious action 'chopped up' or physically destroyed the water line to Morphew's home, Morphew was given no choice but to file a Trespass Upon Easement complaint against Dudek and Cross to allow the courts to resolve the issue for them. (Reference Civil Case No. 2018-CP-18-1661, Morphew v. Stephen Dudek and Doreen Cross). Instead of acting in good faith and fair dealings and let the courts quickly and lawfully clear up the disagreement, they have been intentionally avoiding or attempting to avoid service of the complaint, even verbally taunting the deputy(server) by telling him "*Good luck finding me*". (Exhibit A, Affidavit of Non-Service – Doreen Cross December 19, 2018). Because

of the Dudeks' violation of their easement, Morpew had to secure alternate living arrangements, and now has had to address their unlawful behavior or intentional obstruction of justice with further actions to the lower court, and secure yet another alternate living arrangement [in which a lease is required] instead of the enjoyment of her own home.

Morpew is not seeking to obtain an extension to delay this case, but only seeks such time to properly present its appeal. The Respondents will not be prejudiced.

For the reasons herein, Appellant Morpew respectfully requests this court for an extension of time of 60 days to file its Initial Brief(s), and same to file its Reply Brief(s).

Respectfully submitted this 15th day of February, 2019

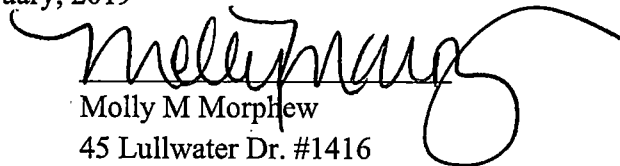

Molly M Morpew
45 Lullwater Dr. #1416
Richmond Hill, GA 31324

EXHIBIT A

DORCHESTER COUNTY SHERIFF'S OFFICE

L C Knight, Sheriff

101 Ridge Street
Suite 1
Saint George, SC 29477

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2019 JAN 25 AM 8:34



**STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER**

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

**MOLLY M MORPHEW
PLAINTIFF(s)**

Case Number: 2018CP181661

vs

**STEPHEN DUDEK AND DOREEN CROSS
DEFENDANT(s)**

AFFIDAVIT OF NON-SERVICE

SERVICE OF: DOREEN CROSS
788 E BUTTERNUT RD
SUMMERVILLE, SC 29483 [Home Address]

COURT: DORCHESTER COUNTY COMMON PLEAS

PERSONALLY comes the undersigned, who says on oath that as of the 19th day of December, 2018, after several attempts to serve the above CERTIFICATE OF SERVICE, CIVIL ACTION COVERSHEET, COMPLAINT AND AFFIDAVIT, EXHIBITS, SUMMONS on DOREEN CROSS, he/she was unable to complete service in accordance with applicable statutes and the Rules of Civil Procedures in effect. Service could not be completed for the following reasons: I LEFT A CARD ON THE DOOR, SHE RETURNED MY CALL. SHE REFUSED TO SET UP A TIME AND PLACE TO MEET AND TOLD ME GOOD LUCK FINDING HER. I WAS ABLE TO TRACK THE PHONE NUMBER BACK TO TRIDENT TECH. I THEN VERIFIED EMPLOYMENT AND CALLED HER BACK. SHE THEN SET UP A TIME TO MEET, SHE WAS A NO SHOW. THIS NEEDS TO BE SENT TO CHARLESTON COUNTY TO SERVE HER AT WORK.

Notary Statement

SWORN to before me on this the 19th day of December, 2018.

Angie Williams)
Notary Public for The State of South Carolina)

My Commission Expires 4.13.20)

Anthony Horne)
ANTHONY HORNE)

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Respondents

PROOF OF SERVICE

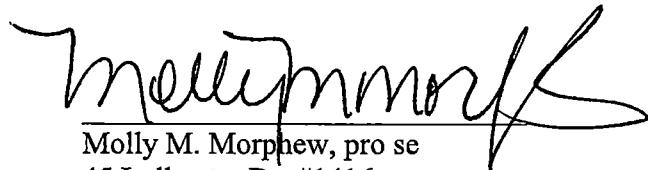
I HEREBY CERTIFY that I served my Motion to Extend Time to Submit Initial Brief(s) and Reply Brief(s) on the Respondents by depositing a copy of it in the United States Mail, postage prepaid, on February 16, 2019, addressed to their respective attorney of record or to their last known address on record as indicated below:

Steven L. Smith, Esquire
P.O. Box 40578
Charleston, SC 29423-0578
Attorney for Respondents:
Stephen Dudek
Doreen Cross
Susan Nicholson
Michael Scarafilo
Carolina One

David A. Collins, pro se
P.O. Box 30052
Charleston, SC 29417
Respondent, pro se

Amy L. Neuschafter, Esquire
Collins & Lacy, PC
11945 Grandhaven Drive, Ste D
Murrells Inlet, SC 29576
Attorney for Respondents:
Carrie Boyer
Woody Law Firm

Amy L. B. Hill, Esquire
Gallivan, White & Boyd, PA
P.O. Box 7368
Columbia, SC 29202-7368
Attorney for Respondents:
Allison Williams
First Federal Bank (aka South State)


Molly M. Morphey, pro se
45 Lullwater Dr. #1416
Richmond Hill, GA 31324
(843-514-7299)

February 15, 2019
Richmond Hill, GA

February 15, 2019

The Honorable Jenny Abbot Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: Molly M. Morphew v. Stephen Dudek, et al
Appellate Case No. 2018-002185

Dear Ms. Kitchings:

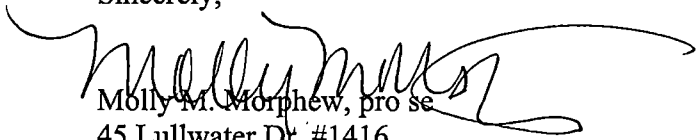
In regards to the above referenced matter, enclosed for filing please find the following:

1. The original and six (6) copies of the Appellant's Motion to Extend Time;
2. The original and six (6) copies of the Proof of Service of the motion; and
3. A Money Order, # 17-89890165 dated 2/14, 2019, in the amount of \$50.00 representing the filing fee.

Please file the originals, file-stamp the copies, returning a copy of each to me in the enclosed self-addressed, stamped envelope. If you have any questions, please do not hesitate to contact me.

With kind regards,

Sincerely,


Molly M. Morphew, pro se
45 Lullwater Dr. #1416
Richmond Hill, GA 31324
843-514-7299
mollymorphew1@gmail.com

Enclosures

CC: Stephen L. Smith, Esquire
Amy L. Neuschafter, Esquire
Amy L. B. Hill, Esquire
David A. Collins, pro se

✓

P

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SC Court of Appeals

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