

89674

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Honorable John C. Hayes III, Circuit Court Judge
Honorable Brian Gibbons, Circuit Court Judge

RECEIVED
APR 29 2019
SC Court of Appeals

Appellate Case No: 2019-002115

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard.....Plaintiffs,

Heidi Gersten, Ivanka Ayoub.....Appellants.

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Mutual Insurance
Company , Interinsurance Exchange of the Automobile Club, John Ammendola,
Trustgard Insurance Co., Blackwell, SC Department of Public Safety, Chevrolet,
GMC, Unknown John Does,Respondents

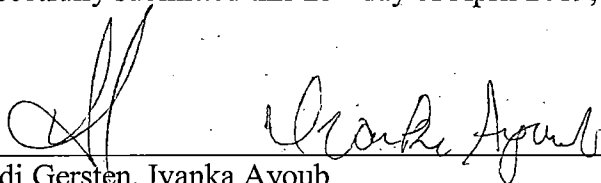
APPELLANTS' NOTICE OF MOTION AND MOTION FOR
EXTENSION OF TIME TO SERVE AND FILE AMENDED RETURN
TO RESPONDENTS CARTER AND DAVIS' MOTION TO DISMISS
APPEAL AND AFFIDAVIT OF HEIDI GERSTEN

Heidi Gersten, Ivanka Ayoub
1438 W. Lantana Rd., #330
Lantana, FL 33462
(323) 245-6142
(561) 756-9820 FAX
hanginhangout@gmail.com
Appellants

The Appellants, Heidi Gersten, Ivanka Ayoub ('Appellants') move this Court for an extension of time to serve and file an amended return of the Respondents Carter and Davis' motion to dismiss appeal pursuant to SCACR 263(b) on the grounds of good cause shown as evidenced by the attached Affidavit of Heidi Gersten. Previous extensions were requested on March 7, 2019 March 18, 2019, March 25, 2019, April 4, 2019 and April 25, 2019. In light of the good cause shown, an additional ten (10) days is required to accurately and sufficiently submit an amended return.

The Appellants' argument will be more fully addressed in the attached Memorandum of Points and Authorities in Support.

Respectfully submitted this 25th day of April 2019,



Heidi Gersten, Ivanka Ayoub
Appellants
1438 W. Lantana Rd., #330
Lantana, FL 33462
(323) 245-6142
(561) 756-9820 FAX
hanginhangout@gmail.com

Boca Raton, Florida
April 25, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Honorable John C. Hayes III, Circuit Court Judge
Honorable Brian Gibbons, Circuit Court Judge

Appellate Case No: 2019-002115

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard,Plaintiffs,

Heidi Gersten, Ivanka Ayoub.....Appellants.

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Mutual Insurance
Company , Interinsurance Exchange of the Automobile Club, John Ammendola,
Trustgard Insurance Co., Blackwell, SC Department of Public Safety, Chevrolet,
GMC, Unknown John Does,Respondents

AFFIDAVIT OF APPELLANT HEIDI GERSTEN

Heidi Gersten, Ivanka Ayoub
1438 W. Lantana Rd., #330
Lantana, FL 33462
(323) 245-6142
(561) 756-9820 FAX
hanginhangout@gmail.com
Appellants

8. During those last five (5) days, my computer crashed, causing me to be unable to obtain stored information and print documents.
9. The Appellants requested an additional ten (10) days from April 4, 2019, which is April 14, 2019, which is a Sunday, permitting Monday, April 15, 2019 to be the service and filing deadline of the request.
10. During these last ten (10) days, my computer was fixed, permitting me to obtain stored information and print documents however other unexpected events occurred that prevented the anticipated return of the Defendants Kevin Carter and Richard Davis' Motion to Dismiss Appeal.
11. I had an unexpected visit from a good friend, who once was a Marine, and when he learned I hadn't had a bath or a shower for 7 months, proceeded to place me into the tub, which I was in for nearly 3 hours, experiencing horrors and joys simultaneously as I was excited to wash myself clean however frightened by how crooked my body had become due to the lack of affordable care required for me to have the fundamental basics of living, such as eating and other things taken for granted as able-bodied beings.
12. My friend also observed the reasons why I could not get into the tub or even use a shower chair and transfer in on my own like I had in other situations.
13. I gave permission to my friend to remove the toilet so I may have room to wheel myself next to the tub, which took several days.
14. My manual wheelchair has been fixed from when the wheel fell off while I was sitting in it on Thanksgiving and I'm using it inside now after being without it for over 3 months.
15. I had food poisoning, which resulted in diarrhea explosions that took me days to clean up, coupled with a migraine from hell.
16. The Appellants requested an additional ten (10) days from April 15, 2019, which is April 25, 2019,
17. During these last ten (10) days it has been determined an additional ten (10) days is required to produce additional documents to prove timeliness.
18. It may be hard to imagine for some, the enormous amount of effort it takes to do simple things that able-bodied people can do, such as use a toilet.
19. I live under extraordinary circumstances.
20. After 7 months or more of living without a caregiver, I interviewed several caregivers recently however the best qualified happened to be a convicted child molester.

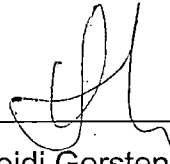
21. I'm currently still without a caregiver.
22. A good day starts when I haven't urinated on myself and surprisingly those popular "Depends" don't always work as well as advertised, it all depends on the flow of the urine.
23. Another 10 days is required to finish the hundreds of copies of documents and information required to prove that this appeal indeed is timely.
24. Attached to this affidavit are some of these documents that will be prove:
 - A. April 26, 2018 - Alleged Order - Judge Gibbons (pg. 9)
 - B. May 6, 2018 - Served - Claimants' Motion To Alter Or Amend A Judgment Or Order Pursuant To Rules 59(e), 60(4) SCRPC, and Request For Oral Hearing (pg.)
 - C. May 8, 2018 - Filed - Claimants' Motion To Alter Or Amend A Judgment Or Order Pursuant To Rules 59(e), 60(4) SCRPC, and Request For Oral Hearing (pg. 10)
 - D. May 8, 2018 - Served - Judge Gibbons (pg.)
 - E. August 7, 2018 - Notice of Case Scheduling - Claimants' Motion To Alter Or Amend A Judgment Or Order Pursuant To Rules 59(e), 60(4) SCRPC, and Request For Oral Hearing (pg. 1a)
 - F. August 25, 2018 - Served - Amended With Or Without Leave Claimants' Motion To Alter Or Amend A Judgment Or Order Pursuant To Rules 59(e), 60(4) SCRPC, and Request For Oral Hearing (pgs 13) ¶ 14
 - G. August 29, 2018 - Filed - Amended With Or Without Leave Claimants' Motion To Alter Or Amend A Judgment Or Order Pursuant To Rules 59(e), 60(4) SCRPC, and Request For Oral Hearing (pg. 15)
 - H. September 5, 2018 - Hearing Judge Hayes (pg.)
 - I. September 18, 2018 - Alleged Orders - Judge Hayes (pgs 16) ¶ 17
 - J. September 21, 2018 - Alleged Orders - Judge Hayes (pg.)
 - K. October 1, 2018 - Served - 2018-CP-12-00117 Notice of Motion/ Plaintiffs' Motion to Alter or Amend a judgment or Relief From Judgment or Order Pursuant to Rules 52, 59 (e), 60 (4), SCRPC, and Request For Oral Hearing along with Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9 (pgs 18) ¶ 19 ¶ 20

- L. October 8, 2018 – Filed - 2018-CP-12-00117 Notice of Motion/ Plaintiffs' Motion to Alter or Amend a judgment or Relief From Judgment or Order Pursuant to Rules 52, 59 (e), 60 (4), SCRCRCP, and Request For Oral Hearing along with Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9 (pgs. 21) + 22.
 - M. October 16, 2018 - Alleged Order - Judge Hayes (pg. 23)
 - N. November 15, 2018 – Served - Notice of Appeal (pg. 27)
 - O. November 27, 2018 – Filed - Notice of Appeal (pgs 25) § 26 § 27
 - P. January 15, 2019 – Order - Judge Gibbons (pgs 28) § 29
(Note: Only order signed in ink in this matter.)
25. Appellants' motions were not ruled on and orders were not made.
 26. Given the complexity of this matter, with numerous respondents and excessive documents to deal with, there is good cause shown for additional time to provide the information that will prove the Appellants' timeliness in serving and filing the notice of appeal.
 27. According to the **SCACR**, the Appellants should not be subjected to serving and filing a return when the Respondents Carter and Davis' Motion to Dismiss does not have the correct case number, along with the burden of sorting through 64 un-paginated pages.
 28. The date the Notice of Appeal was timely served and filed on Respondents Kevin Carter and Richard Davis was November 15, 2018.
 29. The motions for reconsideration were timely filed according to court rules.
 30. The Appellants are hereby requesting an additional ten (10) days to accurately and understandably present proof to the timeliness of this appeal, which is now May 5, 2019.
 31. I was paralyzed as a result of the collision in controversy with the Respondent Kevin Carter and the Respondent Richard Davis co-owned the vehicle involved.
 32. It is unfair to hold me to the same standards as able-bodied people.
 33. The **American Disabilities Act**, An agency of the US Department of Justice Civil Rights Division, applies to and protects me.
 34. **Title II** of the **American Disabilities Act** permits modifications to court rules to accommodate my situation due to my disability.

35. The **Doctrine of Equitable Tolling** may also be applied to my circumstances.

36. I urge the Court to allow an additional ten (10) days, which would be April May 5, 2019, to complete an accurate amended Return of the Appellants to the Motion to Dismiss Appeal made by the Respondents Kevin Carter and Richard Davis in light of the good cause shown.

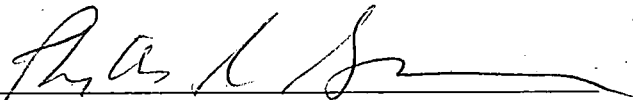
37. This extension is not for the purpose of delaying. It is for the furtherance of justice and to prevent its miscarriage.



Heidi Gersten
1438 W. Lantana Rd. #330,
Lantana, FL 33462

Subscribed and sworn to before me, this 25th day of April 2019.

[Notary Seal:]



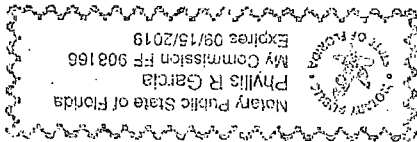
[signature of Notary]



[typed name of Notary]

NOTARY PUBLIC

My commission expires: 09/15/2019



FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Chester
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018CP1200074

Heidi Gersten et al
PLAINTIFF(S)

Kevin Carter et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter is outside the scope of an arbitration. This matter shall be placed on the regular Common Pleas docket for process. This case shall be consolidated with case number 2018-CP-12-00117.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 04/26/2018 .

Heidi Gersten for Heidi Gersten
Ivanka Ayoub
Heidi Gersten for Heidi Gersten

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

STATE OF SOUTH CAROLINA

BEFORE THE ARBITRATION PANEL OF
CHESTER COUNTY

In the matter of Arbitration between

Case number 2018-~~AP~~-12-00074

HEIDI GERSTEN, IVANKA AYOUB)
)
 Claimants)
)
 vs.)
)
 KEVIN CARTER, RICHARD DAVIS,)
 JOSEPH TIRBOVICH, NATIONWIDE)
 MUTUAL INSURANCE COMPANY,)
 INTERINSURANCE EXCHANGE OF)
 THE AUTOMOBILE CLUB, JOHN)
 AMMENDOLA, TRUSTGUARD)
 INSURANCE COMPANY)
 _____)
 Defendants)

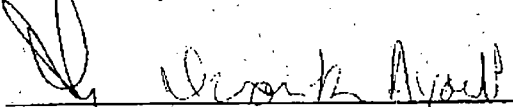
CLAIMANTS' MOTION TO ALTER OR
 AMEND A JUDGMENT OR RELIEF FROM
 JUDGMENT OR ORDER
 Pursuant to Rules 59(e), 60(4), SCRC
 AND
 REQUEST FOR ORAL HEARING

FILED
 2018 MAY - 8 P 2:52
 CLERK OF COURT
 CHESTER CO S.C.

Now come the Claimants Heidi Gersten and Ivanka Ayoub and move this court for an order to alter or amend a judgment or relief from judgment or order made by Honorable Circuit Judge Brian M. Gibbons on April 26, 2018 pursuant to Rules 59(e) and 60(4), SCRC, on the grounds that the order is void and violates the Claimants' U.S. Constitutional rights to fair due process of law and request an oral hearing on said motion. The reasons for this motion are set forth in the attached Memorandum in Support.

Respectfully submitted,

DATED: May 8, 2018

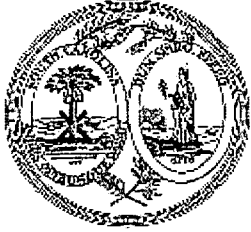

 Claimants Heidi Gersten & Ivanka Ayoub
 1438 W. Lantana Rd. #330
 Lantana, FL 33462
 (323) 245-6142/ Fax (561) 756-9820
 hanginhangout@gmail.com

LEFT
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ON
PURPOSE

NOTICE OF MOTION SCHEDULING

STATE OF
SOUTH CAROLINA

August 07, 2018



Motion "MAPPCN - Motion/Claimants' Motion to Alter or Amend a Judgment or Rel" for Case: 2018CP1200074 - Heidi Gersten , plaintiff, et al VS Kevin Carter , defendant, et al has been added to the following Motions Roster:

25 - Common Pleas Motions 9:30 AM 140 Main Street Chester SC 29706

This hearing of this motion has been scheduled for 9/5/2018 at 9:30 AM.

IMPORTANT: Please see roster news for changes
Motions- Chester County Courthouse 140 Main Street Chester SC 29706

Mail Notice To:

Heidi Gersten

Court Info:

Common Pleas
PO Drawer 580
140 Main Street
Chester, SC 29706-9706

If you have any questions regarding the scheduling of this motion, please contact the courts at:

(803)385-2605

Respectfully,

Sue K. Carpenter
Clerk of Court

The UPS Store - #2197
102 NE 2nd Street
Boca Raton, FL 33432
(561) 393-3231

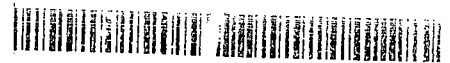
08/25/18 04:10 PM

the one stop for all your
postal and business needs.

all the services you need
keep your business going.

CORPORATE CARD RECEIPT

Member: AAA Member



1 (003)	T1 \$	3.67
11 Copies	QTY	36
Unit Price \$		0.12
Prod (15.0%)		0.65
(022)	\$	1.36
Class Package		
ng# MMJ5AGW9WGVV		
(022)	T0 \$	1.36
Class Package		
ng# MMJ5AGWEMSG8F		
(022)	T0 \$	1.36
Class Package		
ng# J5AGW88PB9R		
(022)	T0 \$	1.36
Class Package		
ng# MMJ5AGWZPOCV8		
(022)	T0 \$	1.36
Class Package		
ng# MMJ5AGWYG41M8		

Subtotal	\$	10.47
TAX (T1)	\$	0.31
Total	\$	10.78
MASTERCARD	\$	10.78

CERTIFICATE OF SERVICE
(2018-AP-12-00074)

The undersigned, over 18 years of age and not a party to the said action, hereby certifies that (s)he has served the following named individuals with a copy of the foregoing: AMENDED WITH OR WITHOUT LEAVE CLAIMANTS' MOTION TO ALTER OR AMEND A JUDGMENT OR RELIEF FROM JUDGMENT OR ORDER PURSUANT TO RULES 59(e), 60(4), SCRCP, AND REQUEST FOR ORAL HEARING by mailing a copy of same to them in the U. S. Post Office mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

Wesley Brian Sawyer, Esquire
Murphy & Grantland, P.A.
4406 Forest Drive #B
Columbia, SC 29206
(Attorney for Kevin Carter and Richard Davis)

David R. Sligh
P.O. Box 2116
Myrtle Beach, SC 29578
(Attorney for Nationwide Mutual Ins. Co)

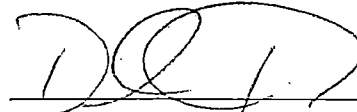
Peter H. Dworjanyn, Esquire and
Michael R. Burchstead, Esquire
Collins & Lacy, PC
1330 Lady Street, 6th Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(Attorneys for Trustguard Insurance Company)

John Ammendola
671 S. High St.
Columbus, Ohio 43206

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502
(Attorney for Joseph Tirbovich)

Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909
(Attorney for Defendant Interinsurance Exchange of the Automobile Club)

By:


DAVID TEDESCHI

Boca Raton, Florida
August 25, 2018

FILED

2018 AUG 29 3:01

CLERK OF COURT
CHESTER CO S.C.

STATE OF SOUTH CAROLINA

BEFORE THE ARBITRATION PANEL OF
CHESTER COUNTY

In the matter of Arbitration between

Case number 2018-AP-12-00074

HEIDI GERSTEN, IVANKA AYOUB)
)
 Claimants)
)
 vs.)
)
 KEVIN CARTER, RICHARD DAVIS,)
 JOSEPH TIRBOVICH, NATIONWIDE)
 MUTUAL INSURANCE COMPANY,)
 INTERINSURANCE EXCHANGE OF)
 THE AUTOMOBILE CLUB, JOHN)
 AMMENDOLA, TRUSTGUARD)
 INSURANCE COMPANY)
 _____)
 Defendants)

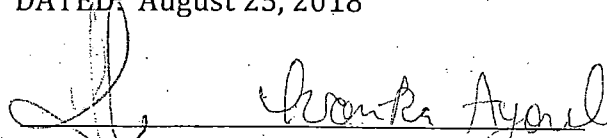
AMENDED WITH OR WITHOUT LEAVE
 CLAIMANTS' MOTION TO ALTER OR
 AMEND A JUDGMENT OR RELIEF FROM
 JUDGMENT OR ORDER
 Pursuant to Rules 59(e), 60(4), SCRPC,
 AND
 REQUEST FOR ORAL HEARING

FILED
 2018 AUG 29 5 3:01
 CLERK OF COURT
 CHESTER CO S.C.

Now come the Claimants Heidi Gersten and Ivanka Ayoub and move this court for an order to alter or amend a judgment or relief from judgment or order made by Honorable Circuit Judge Brian M. Gibbons on April 26, 2018 pursuant to **Rules 59(e) and 60(4), SCRPC**, on the grounds that the order is void and violates the Claimants' U.S. Constitutional rights to fair due process of law and request an oral hearing on said motion. The reasons for this motion are set forth in the attached Memorandum in Support.

Respectfully submitted,

DATED: August 25, 2018



Claimants Heidi Gersten & Ivanka Ayoub
 1438 W. Lantana Rd. #330
 Lantana, FL 33462
 (323) 245-6142/ Fax (561) 756-9820
 hanginhangout@gmail.com

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTER

CIVIL ACTION NO: 2018-CP-12-00117

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard,

CIVIL ACTION NO: 2018-CP-12-00074

Plaintiffs,

ORDER GRANTING DEFENDANT INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB'S MOTION TO DISMISS

vs.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Insurance Company, Interinsurance Exchange of the Automobile Club, John Ammendola, Trustguard Ins. Co., Blackwell, SC Department of Public Safety, Chevrolet, GMC, Unknown John Does,

Defendants.

This matter comes before the Court upon Defendant Interinsurance Exchange of the Automobile Club's ("AAA") Motions to Dismiss, to Strike, and to change venue. The Court held a hearing on its and the other Defendants' motions on September 5, 2018. All served Defendant's appeared by and through their attorneys and Plaintiffs Gersten and Ayoub appeared *pro se*; Plaintiff Hubbard did not appear. For the reasons set forth below, Defendant AAA's principal motions are granted.

PROCEDURAL BACKGROUND

This action arises out of an automobile collision that took place on March 19, 2015 between Ivanka Ayoub's vehicle operated by Heidi Gersten, and a vehicle both operated and owned by Kevin Carter. Plaintiff Gersten originally filed a property damage arbitration claim on February 21, 2018 (hereinafter "Arbitration Action"). The claim named Kevin Carter, Richard

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTER

CIVIL ACTION NO: 2018-CP-12-00117

Heidi Gersten, Ivanka Ayoub, Daniel
Hubbard,

Plaintiff,

**ORDER GRANTING DEFENDANTS KEVIN
CARTER'S AND RICHARD DAVIS'
MOTION TO DISMISS**

vs.

Kevin Carter, Richard Davis, Joseph
Tribovich, Nationwide Insurance Company,
Interinsurance Exchange of the Automobile
Club, John Ammendola, Trustguard Insurance
Company, SC Department of Public Safety,
Chevrolet, GMC, Unknown John Does,

Defendants.

This matter comes before the Court upon Defendants Kevin Carter's and Richard Davis' Motion to Dismiss and Motion to Strike or, in the Alternative, Motion to Sever. The Court held a hearing on this Motion and a number of other motions on September 5, 2018. For the reasons set forth below, Defendants Carter's and Davis' Motion is granted in part and denied in part.

PROCEDURAL BACKGROUND

This action arises out of an automobile collision that took place on March 19, 2015 between a vehicle operated by Heidi Gersten and allegedly owned by Ivanka Ayoub and a vehicle operated and owned by Kevin Carter. Plaintiff Gersten originally filed a property damage arbitration claim on February 21, 2018 (hereinafter "Arbitration Action"). The claim named Kevin Carter, Richard Davis, Nationwide Mutual Insurance Company, Interinsurance of the Automobile Club, and Trustguard Insurance as defendants.

CERTIFICATE OF SERVICE

(2018-AP-12-00074)

(2018-CP-12-00117)

The undersigned, over 18 years of age and not a party to the said action, hereby certifies that (s)he has served the following named individuals with a copy of the foregoing: FILE NO: 2018-CP-12-00117 NOTICE OF MOTION AND PLAINTIFFS' MOTION TO ALTER OR AMEND A JUDGMENT OR RELIEF FROM JUDGMENT OR ORDER Pursuant to Rules 52, 59(e), 60(4), SCRPC, AND REQUEST FOR ORAL HEARING along with Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9 by mailing a copy of same to them in the U. S. Post Office mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

Wesley Brian Sawyer, Esquire
Murphy & Grantland, P.A.
4406 Forest Drive #B
Columbia, SC 29206
(Attorney for Kevin Carter and Richard Davis)

David R. Sligh
P.O. Box 2116
Myrtle Beach, SC 29578
(Attorney for Nationwide Mutual Ins.)

FILED

NOV-8 A 932


CLERK OF COURT
CHESTER CO S.C.

Peter H. Dworjanyn, Esquire and
Michael R. Burchstead, Esquire
Collins & Lacy, PC
1330 Lady Street, 6th Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(Attorneys for Trustguard Insurance Company)

William H. Davidson II, Esquire
Davidson & Lindemann, PA
P.O. Box 8568
Columbia, SC 29202
(Attorney for SC Dept. of Public Safety
and Trooper Herbert Blackwell)

Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909
(Attorney for Defendant Interinsurance Exchange of the Automobile Club)

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502
(Attorney for Joseph Tirbovich)

By: 
DAVID TEODESCHI


Boca Raton, Florida
October 1, 2018

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William H. Davidson, II
1611 Devonshire Dr. 2nd Floor
P.O. Box 8568
Columbia, SC 29202

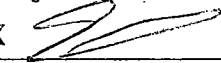


9590 9402 2856 7069 5487 74

2. Article Number (Transfer from service label)

7018 0360 0002 2449 6419

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X 

Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
GARY T... 10-2-18

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Insured Mail
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053


Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909




9590 9402 2856 7069 5487 29

2. Article Number (Transfer from service label)

7018 0360 0002 2449 6402

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X 

Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
Victoria Metz 10-5-18

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Insured Mail
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053


Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502




9590 9402 2856 7069 5487 36

2. Article Number (Transfer from service label)

7018 0360 0002 2449 6396

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X 

Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
Ken Sturgeon 10-4-18

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Insured Mail Restricted Delivery (over \$500)
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery


PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 David R. Sligh
 P.O. Box 2116
 Myrtle Beach, SC 29578



9590 9402 2856 7069 5487 50

2. Article Number (Transfer from service label)
 7015 0640 0003 1449 5526

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee
Donna Brady

B. Received by (Printed Name)
Donna Brady

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery


PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Wesley Brian Sawyer, Esq
 Murphy & Grantland, P.A.
 4406 Forest Dr. # B
 Columbia, SC 29206



9590 9402 2856 7069 5487 67

2. Article Number (Transfer from service label)
 7017 0190 0000 6847 2390

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee
Kelly Chamberlin

B. Received by (Printed Name)
Kelly Chamberlin

C. Date of Delivery
 10/4/18

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery


PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Peter A. Dworjanyn, Esq
 and MICHAEL R. Borchardt Esq
 Collins & Laey PC
 1330 Lady St. 6th Floor
 Columbia, SC 29211



9590 9402 2856 7069 5487 43

2. Article Number (Transfer from service label)
 7018 0360 0002 2449 6389

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee
K Bessinger

B. Received by (Printed Name)
K Bessinger

C. Date of Delivery
 10/04/18

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHESTER

FILE NO: 2018-CP-12-00117

HEIDI GERSTEN, IVANKA AYOUB)
DANIEL HUBBARD)
PLAINTIFFS)

NOTICE OF MOTION AND
PLAINTIFFS' MOTION TO ALTER OR
AMEND A JUDGMENT OR RELIEF FROM
JUDGMENT OR ORDER
Pursuant to Rules 52, 59(e), 60(4), SCRPC,

vs.

KEVIN CARTER, RICHARD DAVIS,)
JOSEPH TIRBOVICH, NATIONWIDE)
MUTUAL INSURANCE COMPANY,)
INTERINSURANCE EXCHANGE OF)
THE AUTOMOBILE CLUB, JOHN)
AMMENDOLA, TRUSTGUARD)
INSURANCE COMPANY, SC DEPT. OF)
PUBLIC SAFETY, BLACKWELL,)
UNKNOWN JOHN DOES)
Defendants)

AND
REQUEST FOR ORAL HEARING
Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9

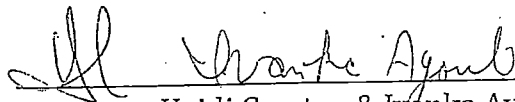
FILED
2018 OCT - 8 A 9 32
CLERK OF COURT
CHESTER CO S.C.

PLEASE TAKE NOTICE, now come the Plaintiffs Heidi Gersten, Ivanka Ayoub, Daniel Hubbard and move this court of the Sixth Judicial Circuit before the Presiding Judge, preferably 7 months from now after service hereof on said defendants, or as soon thereafter as may be heard, to allow the Plaintiff Gersten ample time to heal her pressure wound that was worsened by enduring the premature motion hearing on September 5, 2018, for an order to alter or amend a judgment or relief from judgment or order made by Honorable Circuit Judge Brian M. Gibbons on April 26, 2018 pursuant to Rules 52, 59(e) and 60(4), SCRPC, on the grounds that the order is void and violates the Claimants' U.S. Constitutional rights to fair due process of law, and the First Amendment right of free speech and the right to redress grievances unabridged by Congress and request an oral hearing on said motion and the Plaintiffs Heidi Gersten, Ivanka Ayoub, and Daniel Hubbard move this court for an

order to alter or amend judgments or relief from judgments or orders made by Honorable Judge John Hayes on September 5, 2018 pursuant to Rules 52, 59 (e) and/or 60(4), SCRCP, on the grounds that the order is void and violates the Plaintiffs' U.S. Constitutional rights to fair due process of law and request an oral hearing on said motion. The reasons for this motion are set forth in the attached Memorandum in Support.

Respectfully submitted,

DATED: September 28, 2018



PLAINTIFFS Heidi Gersten & Ivanka Ayoub, DANIEL HUBBARD
1438 W. Lantana Rd. #330
Lantana, FL 33462
(323) 245-6142/ Fax (561) 756-9820
hanginhangout@gmail.com

FILED
2018 OCT -8 A 9:32
CLERK OF COURT
CHESTER CO S.C.

Heidi Gersten et al
PLAINTIFF(S)

Kevin Carter et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

As to the order of September 5, 2018, Plaintiff's motion of October 8, 2018 is denied without a hearing. Said order does not violate plaintiffs' due process rights under the Constitution of the United States or South Carolina.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 10/16/2018 .

Unknown John Does
GMC
Chevrolet
Ivanka Ayoub
Heidi Gersten for Heidi Gersten
Heidi Gersten for Heidi Gersten

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

CERTIFICATE OF SERVICE
(2018-AP-12-00074)
(2018-CP-12-00117)

RECEIVED
NOV 21 2018
BY: DB
150-8749

The undersigned, over 18 years of age and not a party to the said action, hereby certifies that (s)he has served the following named individuals with a copy of the foregoing: FILE NO: 2018-CP-12-00117/2018-AP-12-00074 NOTICE OF APPEAL IN A CIVIL CASE by mailing a copy of same to them in the U. S. Post Office mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

Wesley Brian Sawyer, Esquire
Murphy & Grantland, P.A.
4406 Forest Drive #B
Columbia, SC 29206
(Attorney for Kevin Carter and Richard Davis)

David R. Sligh
P.O. Box 2116
Myrtle Beach, SC 29578
(Attorney for Nationwide Mutual Ins. Co)

Peter H. Dworjany, Esquire and
Michael R. Burchstead, Esquire
Collins & Lacy, PC
1330 Lady Street, 6th Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(Attorneys for Trustguard Insurance Company)

William H. Davidson II, Esquire
Davidson & Lindemann, PA
P.O. Box 8568
Columbia, SC 29202
(Attorney for SC Dept. of Public Safety
and Trooper Herbert Blackwell)

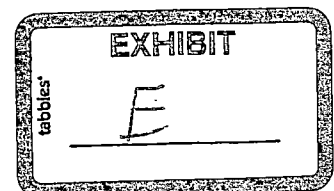
Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909
(Attorney for Defendant Interinsurance Exchange of the Automobile Club)

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502
(Attorney for Joseph Tirbovich)

By: 

Boca Raton, Florida
November 15, 2018

look at
rules for
service



NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Honorable John C. Hayes III, Circuit Court Judge
Honorable Brian M. Gibbons, Circuit Court Judge

Case No. 2018-CP-12-00117
2018-AP-12-00074

RECEIVED

NOV 27 2018

SC Court of Appeals

Kevin Carter, Richard Davis,
Joseph Tirbovich, Nationwide
Mutual Insurance Co.,
Interinsurance Exchange of
the Automobile Club, John
Ammendola, Trustgard
Insurance Co., SC Dept. of
Public Safety, Blackwell,
Unknown John Does

Respondents,

v.

Heid Gersten, Ivanka Ayoub,
Daniel Hubbard

Appellants

look at
rules
for max lines

NOTICE OF APPEAL

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard ("Appellants") appeal the orders [judgments] of the Honorable Judges Brian M. Gibbons and John C. Hayes III dated April 26, 2018, September 5, 2018 and October 16, 2018. Appellants received written notice of entry of some of these orders [judgments] on September 18-October 21, 2018.

This appeal is subject to being premature and a stay may be in order as there are orders left to be reconsidered and/or determined by the lower (circuit) court. The Appellants retain their filing as paid in full at the time of filing for all purposes of the orders made and/or pertaining to



NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Honorable John C. Hayes III, Circuit Court Judge
Honorable Brian M. Gibbons, Circuit Court Judge

Case No. 2018-CP-12-00117
2018-AP-12-00074

FILED

2018 NOV 29 P 12:22

CLERK OF COURT
CHESTER CO S.C.

Kevin Carter, Richard Davis,
Joseph Tirbovich, Nationwide
Mutual Insurance Co., Respondents,
Interinsurance Exchange of
the Automobile Club, John
Ammendola, Trustgard
Insurance Co., SC Dept. of
Public Safety, Blackwell,
Unknown John Does

v.

Heid Gersten, Ivanka Ayoub,
Daniel Hubbard Appellants.

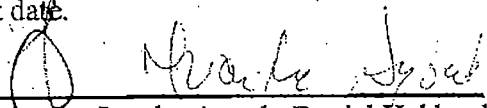
NOTICE OF APPEAL

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard ('Appellants') appeal the orders [judgments] of the Honorable Judges Brian M. Gibbons and John C. Hayes III dated April 26, 2018, September 5, 2018 and October 16, 2018. Appellants received written notice of entry of some of these orders [judgments] on September 18-October 21, 2018.

This appeal is subject to being premature and a stay may be in order as there are orders left to be reconsidered and/or determined by the lower (circuit) court. The Appellants retain their filing as paid in full at the time of filing for all purposes of the orders made and/or pertaining to

and/or regarding, whether ruled on or not, said court date.

November 15, 2018


Heidi Gersten, Ivanka Ayoub, Daniel Hubbard
1438 W. Lantana Rd., #330
Lantana, FL 33462
(323) 245-6142
Appellants

Other Counsel of Record:
Wesley Brian Sawyer, Esquire
Murpy & Grantland, P.A.
4406 Forest Drive #B
Columbia, SC 29206
(Attorney for Kevin Carter and Richard Davis)
(803) 782-4100

David R. Sligh
P.O. Box 2116
Myrtle Beach, SC 29578
(Attorney for Nationwide Mutual Ins. Co.)
(843) 213-5519

FILED
2018 NOV 29 12:22
CLERK OF COURT
S.C.

Peter H. Dworjanyn, Esquire and
Michael R. Burchstead, Esquire
Collins & Lacy, PC
1330 Lady Street, 6th Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(Attorneys for Trustguard Insurance Company and
John Ammendola)
(803) 255-0404

William H. Davidson II, Esquire
Davidson & Lindemann, PA
P.O. Box 8568
Columbia, SC 29202
(Attorney for SC Dept. of Public Safety
and Herbert Blackwell)

Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909
(Attorney for Defendant Interinsurance Exchange
of the Automobile Club)
(843) 662-3258

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502
(Attorney for Joseph Tirbovich)
(843) 656-4454

STATE OF SOUTH CAROLINA
 COUNTY OF CHESTER
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018 CP-12-00117
 2018-AP-12-00074
 CP

Heidi Gersten et al

Kevin Carter et al.

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. *(Administrative Matter)*
~~The issues have been tried or heard and a decision rendered.~~ See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: This matter is currently scheduled for numerous motion hearings on January 30, 2019. On November 29, 2018, the Plaintiffs filed a Notice of Appeal with the S.C. Court of Appeals. As such, this matter is stayed pursuant to Rules 205 and 241 of the SCACR. The hearings scheduled for January 30, 2019 are therefore continued until such time as this Court has jurisdiction again.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

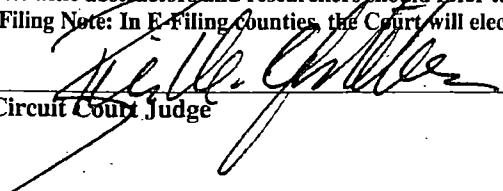
INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge



2168
Judge Code

1/15/19
Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Honorable John C. Hayes III, Circuit Court Judge
Honorable Brian Gibbons, Circuit Court Judge

Appellate Case No: 2019-002115

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard,Plaintiffs,

Heidi Gersten, Ivanka Ayoub,Appellants.

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Mutual Insurance
Company , Interinsurance Exchange of the Automobile Club, John Ammendola,
Trustgard Insurance Co., Blackwell, SC Department of Public Safety, Chevrolet,
GMC, Unknown John Does,Respondents

(WRONG VERSION)
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
APPELLANTS' AMEMDED RETURN TO RESPONDENTS CARTER
AND DAVIS' MOTION TO DISMISS APPEAL

Heidi Gersten, Ivanka Ayoub
1438 W. Lantana Rd., #330
Lantana, FL 33462
(323) 245-6142
(561) 756-9820 FAX
hanginhangout@gmail.com
Plaintiffs/Appellants

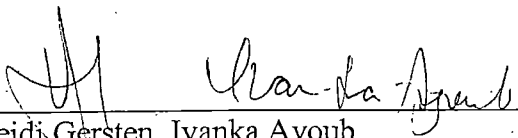
STATEMENT OF FACTS

On March 7, 2019, the Appellants requested an additional ten (10) days to serve and file an amended return to the Respondents Carter and Davis' Motion to Dismiss Appeal. On March 18, 2019 the Appellants, requested an additional 5 days. On March 25, 2019, the Appellants requested an additional ten (10) days. On April 4, 2018, the Appellants requested and additional ten (10) days. Now for good cause shown, an additional ten (10) days is required to complete the Appellants' Return.

Ten (10) days from April 15, 2019 would be April 25, 2019, to sufficiently and adequately address the multiple errors made by the Respondents Carter and Davis. This return in made in a good faith effort to comply with the previously underestimated motion for extension of time and is permitted by Rule 263(b), SCACR.

For these reasons, the reasons in the attached Affidavit of Heidi Gersten and the reasons to be submitted in the forthcoming Appellants' Amended Return and the Appellants' Brief, the Court has jurisdiction as the Notice of Appeal was timely served and filed per SCACR rules.

Respectfully submitted this 15th day of April 2019,



Heidi Gersten, Ivanka Ayoub
Appellants
1438 W. Lantana Rd., #330
Lantana, FL 33462
(323) 245-6142
(561) 756-9820 FAX
hanginhangout@gmail.com

Boca Raton, Florida
April 15, 2019

TO WHOM IT MAY CONCERN:

I'm At The UPS Store AND AND
Mistakenly placed The wrong file to Be
Copied on The FLASH Drive I Brought
CAUSING the Memorandum in Support to
Be excluded From these documents. There's
No time to remedy this today. Instead
I will include A previous Memorandum
That will Be handAmended for now AS
Accurately AS possible From Memory.
This is yet ANOTHER reason THAT AN
extension OF time is NECESSARY
Respectfully Submitted.

Jli

CERTIFICATE OF SERVICE
(Appellate Case No: 2019-002115)

The undersigned, over 18 years of age and not a party to the said action, hereby certifies that (s)he has served the following named individuals with a copy of the foregoing: : Appellate Case No: 2019-002115 APPELLANTS' NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS' AMENDED RETURN OF RESPONDENT CARTER AND DAVIS' MOTION TO DISMISS ALONG WITH A MORE DETAILED RESPONSE TO THIS COURT'S LETTER DATED FEBRUARY 15, 2019 along with letter to the Court dated April 25, 2019, and AFFIDAVIT OF APPELLANT HEIDI GERSTEN and, MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF APPELLANTS' MOTION FOR EXTENSION OF TIME, by mailing a copy of same to them in the U. S. Post Office mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

Wesley Brian Sawyer, Esquire
Murpy & Grantland, P.A.
4406 Forest Drive #B
Columbia, SC 29206
(Attorney for Kevin Carter and Richard Davis)


David R. Sligh
P.O. Box 2116
Myrtle Beach, SC 29578
(Attorney for Nationwide Mutual Ins. Co)

Peter H. Dworjany, Esquire and
Michael R. Burchstead, Esquire
Collins & Lacy, PC
1330 Lady Street, 6th Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(Attorneys for Trustguard Insurance Company)

William H. Davidson II, Esquire
Davidson & Lindemann, PA
P.O. Box 8568
Columbia, SC 29202
(Attorney for SC Dept. of Public Safety
and Trooper Herbert Blackwell)

Reynolds Williams
P.O. Box 1909
Florence, SC 29503-1909
(Attorney for Defendant Interinsurance Exchange of the Automobile Club)

Alexander S. Gogsette
P.O. Box 5478
Florence, SC 29502
(Attorney for Joseph Tirbovich)

By: 
Phyllis R. Garcia

Boca Raton, Florida
April 25, 2019

RECEIVED

APR 29 2019

SC Court of Appeals

April 25, 2019
1438 W. Lantana Rd., #330
Lantana, FL 33462

Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211
(843)662-3258 Fax (843)662-1342

RE: Appellate Case No.: 2018-002115

RECEIVED

APR 29 2019

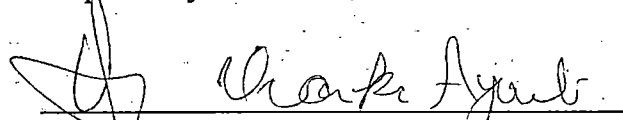
SC Court of Appeals

Dear Ms. Kitchings:

Good day to you.

Please find an enclosed U.S. postal money order in the amount of \$50.00 for the enclosed original NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS' AMENDED RETURN OF RESPONDENT CARTER AND DAVIS' MOTION TO DISMISS along with a more detailed response to this Court's letter dated February 14, along with 7 copies. Please file the original and return a file-stamped copy in the pre-paid postage envelope provided. Thank you for your time regarding this matter.

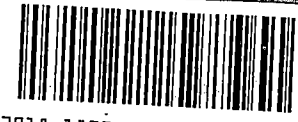
Respectfully submitted,



Appellants Heidi Gersten, Ivanka Ayoub
hanginhangout@gmail.com
(323)245-6142 Fax (561) 756-9820

HG/Enclosures

Heidi Gersten Ivanka Ayous
1438 W. LANTANA RD. #30
LANTANA, FL 33462



7018 1830 0001 4957 0790

**PRI
M**



U.S. POSTAGE PAID
PM 2-Day
BOCA RATON, FL
33432
APR 25, 19
AMOUNT
\$16.80
R2305K143038-07

1004

29211

RECEIVED

APR 29 2019
SC Court of Appeals

**RETURN RECEIPT
REQUESTED**

**PRIORITY
MAIL**

United States
Postal Service

This product is for use with Priority Mail.
Misuse may be a violation of Federal law.
This label is not for resale.

VISIT US AT USPS.COM
Label 9501, Nov 2018

**PRIORITY
MAIL**

Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211