



Heather M. Cairns, Esquire

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July 12, 2019

South Carolina Court of Appeals
Attn: V. Clair Allen, Deputy Clerk
PO Box 11629
Columbia, SC 29211

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JUL 22 2019

SC Court of Appeals

RE: Isaac Smith, Jr. v. Johnnie Mae Muller Newton
Appellate Case No.: 2018-002167

Dear Ms. Allen:

I understand the time for me to formally file a reply to the brief of Mr. Smith has passed but I feel that as an officer of the court, I must provide the court with two pertinent facts Mr. Smith was not clear about in his brief.

In his Statement of the Case, Mr. Smith offers that the post mark on the envelope containing his appeal was merely one day late. This is not correct. The postmark on the envelope to my office containing the Notice of Intent to Appeal was dated 15 days after the Appellant was served the Order.¹

Mr. Smith also asks the court to utilize a Prison Mail Box Rule to excuse the untimeliness of the service. However, the envelope containing the Notice of Intent to Appeal does not appear to have been mailed from the detention center. In my experience all mail from any Detention Center is stamped by the staff indicating that the mail came from within a detention facility. The attached envelope has no such stamps.

If you should have any questions, please do not hesitate to contact my office. Thank you, in advance, for your time and attention to this matter.

Yours Very Truly,

A handwritten signature in black ink, appearing to read 'H. Cairns', with a long horizontal flourish extending to the right.

Heather Cairns
Attorney for the Estate of Johnnie Mae Newton
SC Bar No: 73521

C: G. Hampton, Personal Representative of the Estate of Johnnie Mae Newton
I. Smith, Appellant

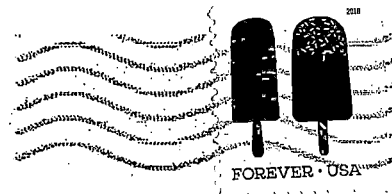
¹ Smith was served the Probate Court order on the 12th of February 2018 and the envelope is postmarked the 27th of February – see attachments initially provided with the Motion filed in Circuit Court 2



2537 Gervais Street
Columbia, South Carolina 29204

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