

James John Todd Kincannon

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December 24, 2019

RECEIVED
DEC 27 2019
SC Court of Appeals

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: James Kincannon v. Ashely Griffith, Appellate Case No. 2019-001501
Misdelivered Filing Fee Order

Ladies and Gentlemen:

The Court's order regarding filing fees dated December 6, 2019 was misdelivered by the U.S. Post Office to 214 Jones Avenue, a vacant property owned by my mother, rather than to 216 Jones Avenue, my residence address. Because the 214 Jones Avenue property is unoccupied, my mother does not regularly check the mail at that address. She has indicated to me that she checks the mail at the 214 Jones Avenue address only about once a month, and did so for the first time this December this morning (December 24, 2019).

Upon checking the mail this morning, my mother identified the Court's order regarding filing fees of December 6, 2019, which requires a filing fee be paid within 15 days of the date of the order, not the date I received notice of entry of the order, which is now impossible due to the misdelivery of the letter to the 214 Jones Avenue address.

Accordingly, I am in the process of preparing and submitting a motion to amend the Court's order of December 6, 2019 to provide that the fifteen days for compliance begins to run on the date I first had notice of entry of the order (December 24, 2019) rather than the date the order was actually entered. I am sending this letter to informally request the Court not dismiss the case in the meantime while I am preparing the motion to amend the order which I anticipate completing within a few days. I will also include an affidavit from my mother verifying the facts relating to her discovery of the mail at the 214 Jones Avenue address.

Very truly yours,

James John Todd Kincannon

cc: Ward Bradley (opposing counsel)

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