

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM THE COURT OF COMMON PLEAS

Apr 21 2020

The Honorable Roger E. Henderson, Circuit Court Judge

SC Court of Appeals

Darlington County Docket No: 2019-CP-16-00634

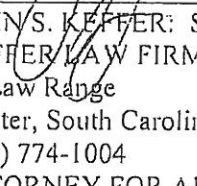
Rodney Brock Hopkins.....Respondent.

v.

Mary Uptagraft on Behalf of Joshua B. Hopkins, Jacob T. Hopkins, Jensen M. Hopkins, & Johanna S. Hopkins,Appellant.

MOTION TO EXTEND TIME LIMIT FOR FILING OF MEMORANDUM

Pursuant to Rule 240, SCACR, Appellant requests an extension of time to allow for the preparation of the Memorandum in this matter. Counsel for the Appellant does not believe that the Respondent would object to this request. Due to the Covid-19 and the diseased family we have been unable to timely prepare the Memorandum and respectfully request more time to allow for the families to recover.



JOHN S. KEFFER: S.C. Bar No. 67910
KEFFER LAW FIRM
10 Law Range
Sumter, South Carolina 29150
(803) 774-1004
ATTORNEY FOR APPELLANT

April 13, 2020

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PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below he served counsel for the Respondent with a copy of the Motion to Extend Time Limit for Filing of Memorandum by depositing the same in the United States Mail, postage prepaid, to Richard Conner, Esquire The Conner Law Firm, 115 Cargill Way, Suite C2, Hartsville, SC 29550.



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April 13, 2020



Keffer Law Firm

10 Law Range Sumter, SC 29150 • (803) 774-1004 • jkeffer@kefferlawfirm.com

April 13, 2020

S.C. Court of Appeals
Honorable V. Claire Allen
Chief Deputy Clerk
P.O. Box 11629
Columbia, SC 29211

RECEIVED

Apr 21 2020

SC Court of Appeals

Re: Rodney Brock Hopkins v. Mary Uptagraft
Appellate Case No.: 2020-000327

Dear Ms. Allen:

Enclosed please find the signed Motion to Extend Time Limit for Filing of Memorandum and Proof of Service on the above-referenced case. Also enclosed is a copy of each document to be file stamped and returned to this office in the self-addressed, postage pre-paid envelope provided. If you have any questions, feel free to contact me.

Thank you for your consideration and cooperation in this matter. With kind regards; I am

Sincerely yours,

John S. Keffer
JKS/cat
Enclosures

Sharon Lafreniere

From: Richard Conner <rec@connerlawsc.com>
Sent: Friday, April 17, 2020 7:47 PM
To: 'Cheryl Theissen'
Cc: 'John Keffer'; Danette New (danette@connerlawsc.com); 'Michelle Greenawalt'; heather@connerlawsc.com; sharon@connerlawsc.com; MyCase (conner-law-nLL6HAXmgb@mycasemail.com)
Subject: RE: Rodney Brock Hopkinsvs Mary Uptagraft, et al.
Attachments: Response to email of 17 April 2020.pdf

Ms. Theissen: Please see the attached PDF as a response to your message of 17 April.

RECEIVED
Apr 21 2020
SC Court of Appeals



CONNER LAW FIRM

Counsel for the Generations

Estates, Elder Law, Special Needs, Real Estate and Business

CONFIDENTIALITY NOTICE: This e-mail message is intended only for the personal and confidential use of the designated recipient(s) named above and may contain attorney work product and/or attorney-client communications, which is privileged, protected, confidential or otherwise exempt from disclosure under applicable law. If you are not a named recipient, YOU ARE HEREBY NOTIFIED that any review, dissemination, distribution, disclosure or copying of this message and/or attachments is STRICTLY PROHIBITED. If you have received this e-mail message in error, please notify us immediately at the telephone number listed above to arrange for the return and/or deletion of the original message. Thank you for your cooperation.

Richard E. Conner, Jr.
The Conner Law Firm
115 Cargill Way, Suite C2
Hartsville, South Carolina 29550
843-332-1678 (t)
843-332-1904 (f)

From: Cheryl Theissen [<mailto:cheryl@kefferlawfirm.com>]
Sent: Friday, April 17, 2020 2:29 PM
To: rec@connerlawsc.com
Cc: John Keffer
Subject: Rodney Brock Hopkinsvs Mary Uptagraft, et al.
Importance: High

April 17, 2020

Dear Attorney Conner:

Enclosed herewith you will please find Motion to Allow Late Ordering of Transcript, Proof of Service for that Motion, Letter to the South Carolina Court of Appeals containing a Motion to Extend Time Limit for Filing of Memorandum and

Proof of Service for that Motion. I am not sure where the confusion took place however, I will be happy to check next week with the South Carolina Court of Appeals to clear any further confusion but it appears these documents were also sent to your office.

Cheryl Theisen

Paralegal to John S. Keffer, Esquire
Keffer law Firm
10 Law Range
Sumter, SC 29150
(803) 774-1004

So let me get this straight;

- **21 February** you submitted and served your Notice of Appeal.
- **10 March** the Court of Appeals informed you had not signed your Notice of Appeal and Proof of Service. Within the same notice, The Court provided you a 10 day extension with which to make correction or your appeal would be dismissed.
- **11 March** the Court of Appeals informed that your time for ordering the transcript had expired. The Court granted you a 10 day extension with which to make correction or your appeal would be dismissed.
- **12 March** the Court of Appeals informs that it questions the immediate appealability and requested each party file and serve a memorandum addressing the issue of appealability within 10 days following the date of the letter.
- **23 March** Respondent's Memo was filed with the Court of Appeal following service upon you on 20 March.
- **14 April** Respondent filed and served its **Motion of Default**.

38 Days after the Court's first notice of insufficiency and **3 days following our Motion for Default**, you inform Mr. Keffer had earlier filed motions for extensions as to all dates, but that somehow, we just never received a copy of those – and this after my office called the Court of Appeals multiple times to learn what, if anything, had been filed on behalf of your client and being informed by the Court that nothing had been filed.

This is beginning to look a lot like the first appeal in which Mr. Keffer fails to timely file things and then, after the proverbial horse is out of the barn, he submits motions seeking to extend deadlines already passed. Not only, with the exception of the requested Memorandum, compliance with the Court's request was easier than seeking a valid motion (certainly more so than one which I believe is invalid) I hope you will forgive if I have rushed to judgment, but I just cannot accept as believable the idea that any of the motions were timely sent. However, come Monday I will be filing a copy of this exchange with the Court of Appeals to be included with the record.

Mr. Keffer has always been pleasant in his interactions, I regret things have resulted in my distrust of what he produces.



THE CONNER LAW FIRM

Counsel for the Generations

Richard E. Conner, Jr.
MA. JD. LL.M.

115 Cargill Way
Suite C-2
Hartsville, SC 29550

Phone: 843.332.1678
Fax: 843.332.1904

www.richardconner.com

April 20, 2020

South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED

Apr 21 2020

SC Court of Appeals

RE: Rodney Brock Hopkins vs Mary Uptagraft, et al.
Case No. 2020-000327

Dear Clerk:

In connection with the above-referenced estate, please find enclosed the following document(s):

Email from Keffer Law Firm with Attachments
Response from Conner Law Firm with Attachment

I ask that you please process these documents and file them for record on the above case.

Thank you for your attention to and assistance with this matter.

Respectfully,

Sharon LaFreniere
Legal Assistant

Enclosures