

THE STATE OF SOUTH CAROLINA

In the Court Appeals

APPEAL FROM CHARLESTON COUNTY
MASTER-IN-EQUITY LAW COURT

Mikell R. Scarborough, Master-In-Equity Law Judge

RECEIVED

MAY 07 2020

SC Court of Appeals

Case No. 2016-001201

Allen Livingston.....Respondent

v.

Harold Simmons Jr.....Appellant

MOTION FOR EXTENSION

Regarding filed Final Brief and Record on Appeal: reason for missing deadline.

On March 18, 2020 at approximately 11:00 a.m., Appellant called the Court of Appeals inquiring about the next steps for filing Final Brief and Record on Appeal. Appellant's original case examiner was not available, so Appellant spoke with another case examiner and was advised that the Court of Appeals would contact Appellant to let me know when the Final Brief and Record on Appeal will be due. Appellant was never contacted with the new due date. Instead, Appellant surprisingly received a letter stating that the deadline to file has expired and gave me 10 days to submit necessary documents. Due to the coronavirus pandemic, Appellant is experiencing financial hardship and needs an extension of 30 days to file the necessary documents, if possible.

Appellant thanks you for your patience,

Harold Simmons Jr.
Harold Simmons, Jr.

May 6, 2020

Harold Simmons, Jr., Pro Se
3042 North Carolina Ave.
North Charleston, SC 29405
(843) 480-8694

\$50.00
Filing Fee

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PROOF OF SERVICE

I, Harold Simmons JR., Pro Se, hereby certify that I have served the *Motion for Extension* on Allen Livingston by depositing a copy of it in the United States Main, postage prepaid, on *MAY 6, 2020*, addressed to his attorney of record, Bruce A. Berlinsky, P.A., One Carriage Lane Bldg. F, Charleston, SC 29407.



Harold Simmons, Jr., Pro Se
3042 North Carolina Ave.
North Charleston, SC 29405
(843) 480-8694



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11625
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1530
FAX: (803) 734-1533
www.sccourts.org

April 29, 2020

Harold Simmons, Jr.
3042 North Carolina Avenue
North Charleston SC 29405

Re: Allen Livingston v. Harold Simmons
Appellate Case No. 2016-001201

Dear Mr. Simmons:

Our records reflect that the time for serving and filing the appellant's final brief has expired. Within ten days of the date of this letter, you must serve and file the appellant's final brief, along with a motion requesting permission to serve and file the final brief outside of the filing deadlines set by Rule 211 of the SCACR. Your appellant's final brief will not be considered and your appeal will be dismissed if no motion is made within ten days of the date of this letter.

Very truly yours,

V. Claire Allen
CLERK

cc: Bruce Alan Berlinsky, Esquire

Harold Simmons
3042 North Carolina Ave
North Chas S.C. 29405

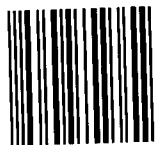
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SC Court of Appeals