

May 21, 2020

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29211

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SC Court of Appeals

Re: Appellate Case No. 2018-002185
Molly M. Morphey v. Stephen Dudek, Doreen Cross, et al.

Dear Ms. Kitchings:

This letter is an important matter asking for specific clarification and/or guidance from this court regarding the briefs filed or to be filed in this court regarding above referenced case.

Specifically, the Respondents have filed a motion to extend the filing time for their 'briefs', stating they "...request a thirty-day (30-day) extension of the deadline for serving the Initial Briefs of Respondents." Based on the verbiage of the Respondents motion, and their reference to 'Briefs' (plural), I'm seeking clarification and guidance so as to prevent any confusion or prejudice.

Could you please provide answers and clarification to each below as I could not find any rule, case or precedence that would provide me with any answers:

1. Are the Respondents required to file one (1) [combined] brief? (as required by Rule 208)
2. If so:
 - a. Is the combined brief required to total no more than 50 pages [also as required by Rule 208], and as I was mandated by this Court to file one (1) brief to include all 10 separate orders and the respective issues on appeal, totaling no more than 50 pages and combining *all* Respondents?
 - b. If its brief is not required to be equal to or less than 50 pages, what rule and/or precedence directs this reasoning? Consequently, what would be the max page count allowed in this instance?
3. If not, and the Respondents are allowed to file separate briefs:
 - a. What rule or precedent guides this?
 - b. Will the total pages of the separate briefs required to be no more than 50 pages together?
 - c. Or are the Respondents going to be permitted to *each file separate briefs (*EACH, See 'd' below) up to 50 pages each brief?

- d. How would "Respondents" and "briefs" be defined here? There are 10 Respondents (in 4 groups), would they count as 10 Respondents therefore 10 briefs? Or counted as four (4) 'Respondents' therefore four (4) briefs?

In layman's terms, what are the rules and expectation of this Court regarding the Respondents Brief in this instance? Based on Rule 208, I should expect one (1) Brief including all Respondents and not exceeding the rule's 50-page limit.

If the Respondents are permitted to file separate briefs or allowed to exceed the max number of pages of 50, then the Appellant should have been given the same courtesy when filing its initial brief and when it files its reply brief brief(s). To do otherwise would be giving the Respondents much more of an advantage to defend than I was given.

Though Appellant filed 2 separate motions asking to exceed the page limit of its Briefs, which this court could have granted pursuant Rule 208(b)(5) "*...principal briefs shall not exceed fifty (50) pages, and reply briefs shall not exceed twenty-five (25) pages. On motion, the appellate court may grant a party permission to exceed those limitations*", and which there was no return by the Respondents on either, Appellant was denied without reason and mandated to 50 pages to defend (which included the cover page, table of contents, table of authorities, facts and procedural history, standard of review, references to the Record, and the list of issues on appeal), leaving 39 pages to defend or argue 10 orders and a vast number of rulings divided between 10 Respondents in each.

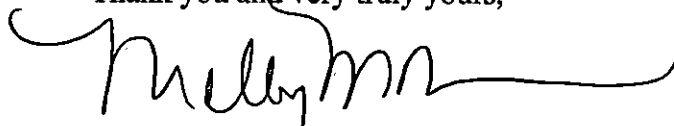
If allowed more than 50 pages total for the Respondents Brief and/or to file separate or multiple briefs, then Appellant should be given the same courtesy and requests the same accordingly.

Again, Appellant is confused by the Respondents' motion or its verbiage and wants to prevent any confusion as to the expectations of this court and the rights of its litigants [i.e., no surprises or prejudice] and has been unsuccessful in discovering any case, rule or guideline regarding this issue. Therefore, seeks specific guidance from this Court.

Please record and file.

Also enclosed is a copy to be kindly recorded and returned in the self-addressed, stamped envelope.

Thank you and very truly yours,



Molly Morphev, pro se

Cc: Amy L. Neuschafer, Esq.
Amy B. Hill, Esq.
Steven L. Smith, Esq.
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