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Jul 24 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM LEXINGTON COUNTY
R. Knox McMahon, Circuit Court Judge

Appellate Case No. 2018-001387

Patricia LutzAppellant

v.

Eastpoint Properties, LLC and Scollon Family Partnership, LLC.....Respondents

**RESPONDENTS EASTPOINT PROPERTIES, LLC AND
SCOLLON FAMILY PARTNERSHIP, LLC’S REPLY TO
CORRESPONDENCE MAILED BY APPELLANT ON JULY 14, 2020**

Respondents Eastpoint Properties, LLC and Scollon Family Partnership, LLC (collectively “Respondents”) reply to Appellant Patricia Lutz’s (“Appellant”) correspondence mailed to the Court on July 14, 2020.

As an initial matter, Respondents reassert and incorporate their arguments and positions raised in the Respondents replies and/or responses to Appellant’s various other requests for extensions of time to file Appellant’s Initial Brief.¹ In addition to these arguments, Respondents note that Appellant alleges that she spoke to an attorney a month or so ago about representation,

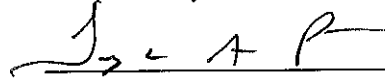
¹ The arguments referenced herein are identified in: (1) Respondents Eastpoint Properties, LLC and Respondent Scollon Family Partnership LLC’s Reply to Motion to Reinstate Above Case filed December 30, 2019, (2) Respondent Eastpoint Properties, LLC and Respondent Scollon Family Partnership, LLC’s Reply to Motion for Extension to File Initial Brief Dated May 13, 2020 filed May 26, 2020, and (3) Respondent Eastpoint Properties, LLC and Scollon Family Partnership, LLC’s Reply to Motion for Extension to File Initial Brief dated June 11, 2020 filed June 18, 2020.

and they indicated they would only represent her if the Court of Appeals would grant her an extension. However, Appellant does not state which attorney she spoke with nor was the undersigned contacted by one regarding this case. It is also is worth noting that the appellate lawyer would have had time to contact the undersigned to request additional time or file something with this Court if they were going to represent her.

Also, Appellant appears to argue that the Court should reconsider Judge Lockemy's Order dated July 2, 2020 and grant her additional time. This appears to be a request for rehearing under Rule 240(i), SCACR. Such a request is improper considering the Motion for Extension filed June 18, 2020 and corresponding Order dated July 2, 2020 does not have the effect of dismissing or finally deciding the Appellant's appeal. That decision has already been made by the Order filed December 5, 2019. In the alternative, that decision would only be made once the Court rules upon Appellant's Petition to Reinstate.

For the forgoing reasons, the Court should deny the request for an extension of time set forth in the July 14, 2020 correspondence, deny Appellant's Petition to Reinstate, affirm the dismissal of the present appeal, and finally and forever end this matter.

Respectfully submitted,



M. Alan Peace (S.C. Bar No. 4384)
Taylor A. Peace (S.C. Bar No. 100206)
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*Attorneys for Respondents Eastpoint
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Partnership, LLC*

July 24, 2020
Chapin, South Carolina

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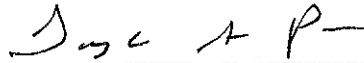
PROOF OF SERVICE

I hereby certify that I have served a copy of

**RESPONDENTS EASTPOINT PROPERTIES, LLC AND
SCOLLON FAMILY PARTNERSHIP, LLC'S REPLY TO
CORRESPONDENCE MAILED BY APPELLANT ON JULY 14, 2020**

in the above referenced case on July 24, 2020, on the following by causing a copy to be delivered via the U.S. Postal Service to the Appellant or her counsel, if any, to the addresses shown below:

Patricia Lutz
51 Bear Creek Road
Little Mountain, South Carolina 29075



M. Alan Peace (S.C. Bar No. 4384)
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SC Court of Appeals

L.K. "Trey" Harrell, III
Jeremy C. Martin
M. Alan Peace **
Taylor A. Peace
Andrea "Andi" Cornelison
Erik T. Norton

Robert W. Dibble, Jr. *
William Jennings (Bill) Buchanan *
Donald W. Tyler *
Thomas B. Jackson, III *

*Of Counsel
**Certified Mediator/Arbitrator

July 24, 2020

VIA ELECTRONIC MAIL (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: **Patricia Lutz v. Eastpoint Properties, LLC and Scollon Family Partnership, LLC**
Appellate Case No.: 2018-001387
Case No. 2013-CP-32-0871
Our File No.: 3347.28229/MAP

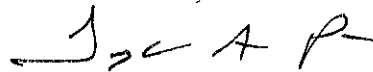
Dear Ms. Kitchings:

Our law firm represents the Respondents Eastpoint Properties, LLC and Scollon Family Partnership, LLC, in the above referenced matter. Pursuant to the Court's request that all filings be transmitted electronically, attached you will find a copy of Respondents Eastpoint Properties, LLC and Scollon Family Partnership, LLC's Reply to Correspondence Mailed by Appellant on July 14, 2020. Please file the attached and return a clocked copy to me in via email at tpeace@hmp-law.com. By copy of this letter, I am serving Appellant Patricia Lutz with the same.

Thank you for your assistance with this matter.

Sincerely,

HARRELL, MARTIN & PEACE, P.A.



Taylor A. Peace, Esquire

TAP/rdb

Enclosures

cc: Patricia Lutz (via regular U.S. Mail)