

From: [Rufus Rivers](#)
To: [Kathleen M. McDaniel](#); [Court Of Appeals Filings](#)
Subject: Re: [EXT]Re: [EXT]Re: Rufus Rivers and Merle Rivers v. James Smith Jr 2018-CP-38-01399
Date: Thursday, October 22, 2020 5:29:16 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image008245.png](#)
[image826009.png](#)
[image864302.png](#)
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[image614889.png](#)
[image113859.png](#)
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Oct 22 2020
SC Court of Appeals

This is to inform you that the necessary corrections are being made on Appellants Record on Appeal and will be forwarded upon completion.

Rufus Rivers

On Tue, Oct 20, 2020 at 2:43 PM Kathleen M. McDaniel <kmcdaniel@burnettshutt.law> wrote:

He's not the Chief Admin Judge.

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**BURNETTE
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Moving law forward.

Kathleen M. McDaniel Partner

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From: Rufus Rivers <rrivers788@gmail.com>
Sent: Tuesday, October 20, 2020 2:42:29 PM
To: Sarah J. M. Cox <SCox@burnetteshutt.law>
Cc: Kathleen M. McDaniel <kmcdaniel@burnetteshutt.law>
Subject: [EXT]Re: [EXT]Re: Rufus Rivers and Merle Rivers v. James Smith Jr 2018-CP-38-01399

Thank you. What happened to Judge Dickson?

On Tue, Oct 20, 2020 at 1:15 PM Sarah J. M. Cox <SCox@burnetteshutt.law> wrote:

Mr. Rivers,

Judge Murphy is the Chief Administrative Judge who decides which issues are put on the docket for arguments in Orangeburg County.

Sarah J.M. Cox

10-20-2020



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From: Rufus Rivers <rrivers788@gmail.com>
Sent: Tuesday, October 20, 2020 11:09 AM
To: Sarah J. M. Cox <SCox@burnetteshutt.law>
Cc: mmurphy1c@sccourts.org; Kathleen M. McDaniel <kmcdaniel@burnetteshutt.law>
Subject: [EXT]Re: Rufus Rivers and Merle Rivers v. James Smith Jr 2018-CP-38-01399

Received, thank you. Who is Judge Murphy and what does this have to do with appellants' Motion to Stay which was denied?

On Tue, Oct 20, 2020 at 10:25 AM Sarah J. M. Cox <SCox@burnetteshutt.law> wrote:

Dear Sir:

I represent James Smith in this matter along with my law partner Kathleen McDaniel. This case, originally an eviction action, is currently on appeal to the Court of Appeals. We had filed a Motion to Determine Rent During the Pendency of Appeal on July 6, 2020 that has not yet been heard. I spoke to the Orangeburg County Clerk of Court today, who said that Judge Murphy had said this petition could not be heard until the appeal concludes.

By way of history, after filing their Appeal to the Court of Appeals, the Rivers' requested a stay of the below eviction pending appeal. On May 27, 2020, the Court of Appeals issued its Order denying this stay "because the motion is more appropriate for the circuit court's consideration at this time." (attached) While the Rivers have not requested a stay of the eviction before the Circuit Court, the Motion we filed on July 6, 2020 in the Circuit Court is an attempt to bring this same issue to the circuit court's consideration. Therefore, I do believe that it is appropriate for this Motion and the surrounding briefing to come to a hearing prior to the conclusion of the appeal to the Court of Appeals, and we request that this issue be placed on the docket as soon as possible.

Please let me know if you have any questions.

Sarah J.M. Cox

10-20-2020



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