

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable Deadra L. Jefferson, First Judicial Circuit  
The Honorable Edgar W. Dickson, First Judicial Circuit  
Honorable Maite Murphy, First Judicial Circuit

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Appellate Case No. 2018-002185

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Molly M. Morphew, Appellant,

v.

Stephen Dudek, Doreen Cross, David Collins, Allison Williams, First  
Federal, Michael Scarafile, Susan Nicholson, Carolina One Real Estate,  
Carrie Boyer, Woody Law Firm, Respondents.

**RECEIVED**  
NOV 12 2020  
SC Court of Appeals

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APPELLANT'S MOTION FOR EXTENSION, COMBINATION OF  
REPLY BRIEFS AND PAGE EXCEEDANCE

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Molly M. Morphew, pro se  
121 Sterling Rd.  
Rincon, GA

Appellant Molly Morpew, pro se, hereby respectfully asks for an extension to file its Reply Brief to combine the Reply Briefs previously submitted and to exceed the page limit, pursuant SCARCP Rule 240 and Rule 208, for the reasons below.

Throughout the briefing stage, Appellant has received multiple respondents' initial briefs and has submitted a reply brief accordingly. Further, Appellant was served Respondents' First Federal and Allison Williams ("Bank Respondents") on June 29, 2020, but it only contained its Designation of Matter. Appellant immediately informed this court and Bank Respondent. (ATCH. A, June 29, 2020 letter to this court). After several letters to the Bank Respondents and this court communicating the brief had not been received (*see* ATCH. A);(ATCH. B, correspondence), this court submitted to Appellant its' letter of November 3, 2020 (ATCH. C, November 3, 2020, court letter). In the interim, Bank Respondent served its Initial Brief on Appellant on October 28, 2020 (ATCH. D), and in turn Appellant served its' Reply Brief on Bank Respondent November 6, 2020 (ATCH. E, cert. of service).

This court issued its correspondence dated November 3, 2020 (*see* ATCH. C), leading to the service and filing of this motion requesting an extension to file its Reply Brief in order to combine it reply briefs previously served and filed, and to exceed the page limit of its Reply Brief.

Appellant had served and filed separate briefs to each respondent brief pursuant SCARCP Rule 208(a)(3), "... appellant may file and serve *a brief in reply to the brief of respondent*", indicating a reply brief to a brief of a respondent; followed by Pursuant to Rule 208(b)(3), "All reply briefs shall...", further indicating more than one reply brief allowed. Appellant had researched other state's or court's rules in regards to reply briefs and found they stated *with specificity* if only one (1) reply brief were allowed in the case with multiple respondents (ex.,

Ohio<sup>1</sup> and (US Court of Appeals 3<sup>rd</sup> Circuit<sup>2</sup>), while other states and this state did not specify. Additionally, again, South Carolina verbiage in Rule 208(b)(3), states “*All reply briefs....*” while other states state ‘*the reply brief*’. Based on Appellant’s research and lack of specificity of the S.C. rule, or its ambiguity, Appellant felt it correctly assessed the rule that a reply brief was allowed to each respondent brief submitted. This court issued a letter on November 3, 2020 advising Appellant this was not the case, and suggested a motion to combine the briefs.

Further, and though Rule SCRAP Rule 208(b)(5) limits the reply briefs to twenty-five (25) pages, it also allows an exceedance of that limitation. “*...reply briefs shall not exceed twenty-five (25) pages. On motion, the appellate court may grant a party permission to exceed those limitations.*” In this case and to the layman, it would seem an imbalance being restricted to only 25 pages in its defense of four (4) separate briefs totaling 100 pages or so, and 10 respondents with multiple legal positions. Such would not allow a proper or fair litigation. On the other hand, it appears that is what SCRAP Rule 208(b)(5) is in place for, to allow an exceedance, especially if the circumstances support it, as it does in this case.

Due to the many defenses and arguments in each respondent brief, the separate legal positions of the 10 respondents, the criticality of the issues presented, that fraud on the court is alleged (and is supported by the record and the principles of law and equity), that the Appellant has already served (and filed) its reply briefs on each respondent, and due the correspondence of this court, Appellant respectfully asks this court to grant its request to combine its reply briefs into one (1) reply brief; grant a time extension to file its combined Initial Brief to November 26,

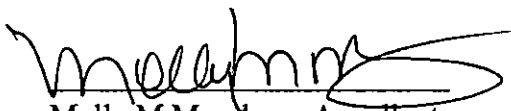
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<sup>1</sup> Ohio S.Ct.Prac.R. 16.04: (3) “*If the case involves multiple appellees who file separate merit briefs, the appellant shall file only one reply brief, if any, responding to all of the appellees' merit briefs.*”

<sup>2</sup> 28 U.S.C. § 2244: “*The appellant/petitioner is permitted to file only an appellant's brief and a single reply brief (in response to the brief(s) by appellee(s)). Appellee/respondent's brief responds to the arguments in the appellant's brief.*” FRAP 31(a)(1).

2020; and grant its request to exceed the page limit of its combined Reply Brief to 75 pages, or as an alternative, what this court would deem fair under the circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Molly M Morphey', with a large, sweeping flourish extending to the right.

Molly M Morphey, Appellant  
121 Sterling Dr.  
Rincon, GA 31326

November 8, 2020

# Attachment A

June 29, 2020

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

**RECEIVED**  
JUL 06 2020  
SC Court of Appeals

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

Dear Ms. Kitchings:

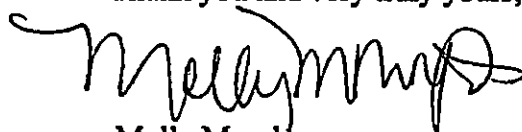
Please find enclosed a copy of the letter sent to Ms. Amy Hill, Esquire, counsel for Respondents Allison Williams and First Federal Bank in the above referenced case regarding the service of their Initial Brief.

I am informing this Court that I received only their Designation of Matter and Certificate of Service, but the envelope contained no Brief. I've asked the Respondents to send me the brief. Until such time, I am unable to respond.

Further, I would like to inform this court that I have no access to email until further notice.

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

Thank you and very truly yours,



Molly Morpew, pro se

Cc: Amy L. Neuschafer, Esq.  
Amy B. Hill, Esq.  
Steven L. Smith, Esq.  
David A. Collins, pro se

June 29, 2020

Ms. Amy L.B. Hill, Esquire  
P.O. Box 7368  
Columbia, SC 29202

**RECEIVED**

JUL 06 2020

SC Court of Appeals

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

Dear Ms. Hill:

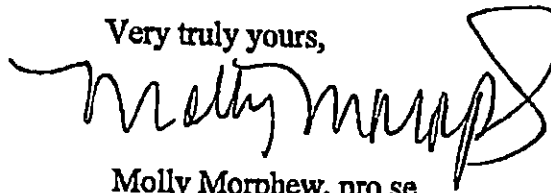
I have received today an envelope, dated June 26, 2020, in what appears to be Respondents Allison Williams and First Federal Bank's Initial Brief for the above referenced case. The envelope contained the Certificate of Service and Designation of Matter but no brief.

If you would be so kind as to send the brief and an updated certificate of service.

I've sent a copy of this letter to the Appellate Court, informing them of the situation as the time to respond, if applicable, is a narrow window.

Thank you in advance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Molly Morphew". The signature is fluid and cursive, with a large loop at the end.

Molly Morphew, pro se

Cc: Amy L. Neuschafer, Esq.  
Steven L. Smith, Esq.  
David A. Collins, pro se



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# Attachment B



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29211  
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COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

July 28, 2020

Molly Morphew  
121 Sterling Dr.  
Rincon GA 31326

Re: Molly Morphew v. Stephen Dudek (2)  
Appellate Case No. 2018-002185

Dear Ms. Morphew:

We are in receipt of your correspondence dated June 29, 2020. Please be advised that the time for serving and filing the appellant's initial reply brief will begin from the service date of the last respondent's initial brief. No further action will be taken on your correspondence.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Steven L. Smith, Esquire  
Amy Lynn Neuschafer, Esquire  
Amy L.B. Hill, Esquire  
Jordan Michael Crapps, Esquire  
Fred Harley Oliver, Esquire  
Laura Ruth Baer, Esquire  
Robert McNair Peele, III, Esquire  
Samuel Melvil Wheeler, Esquire  
David Collins

September 9, 2020

**RECEIVED**

SEP 14 2020

**SC Court of Appeals**

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

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

Dear Ms. Kitchings:

I would like to follow-up with this court regarding the serving of First Federal and Allison Williams' brief(s). As you may recall, I had previously received an envelope allegedly containing their briefs, but only the designation of matter was included. Immediately, I supplied this court with a letter informing them of this error, along with a copy of the letter sent to the Respondents' counsel. I have not yet received a reply or copy of their briefs.

Now, please find enclosed a copy of a 2<sup>nd</sup> letter sent to Ms. Amy Hill, Esquire, counsel for Respondents Allison Williams and First Federal Bank in the above referenced case regarding the service of their Initial Brief, again asking counsel to send me their brief(s) and updated certificate of service, via USPS mail. Until such time, I am unable to reply.

Further, due to the COVID situation, I have very limited access to a computer for personal use, no internet or printers so am unable to reply until a physical copy is in hand. Though this issue may be relatively moot, it is just to stress the importance of obtaining such a copy.

In regards to Respondent Collins' designation of matter (Designation Attached) in the above referenced case, #9 needs to be corrected. His designation incorrectly states the order denies the motion to hold him in default, but the order actually denies the motion requesting default *judgment* (Referenced order attached). Appellant has sent a request to Respondent Collins to correct his designation of matter and refile (Letter Attached), though it may be something only this Court has the power to direct. If so, I respectfully ask this Court to do so.

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

Thank you and very truly yours,

  
Molly Morphew, pro se

Cc: (minus attachments)  
Amy L. Neuschafer, Esq.  
Amy B. Hill, Esq.  
Steven L. Smith, Esq.  
David A. Collins, pro se

September 8, 2020

Ms. Amy L.B. Hill, Esquire  
P.O. Box 7368  
Columbia, SC 29202

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

Dear Ms. Hill:

As you may recall, on June 29, 2020 I received an envelope, dated June 26, 2020, that only contained Respondents Allison Williams and First Federal Bank's Designation of Matter and Certificate of Service but no brief(s). At that time, I sent a letter informing you of the error.

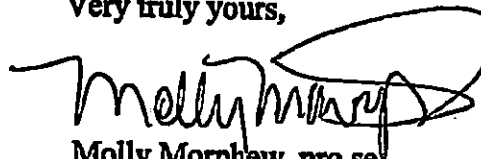
To date, I have not yet received a reply or the brief(s). If you would be so kind to send the brief(s) and an updated certificate of service, I thank you in advance.

Also, I would like to remind counsel that due the COVID my situation had changed drastically, more specifically, I have very limited access to a computer for personal use, no internet or printers so am unable to reply unless a physical copy is in hand. Though it may be relatively moot, there appears to be a need to stress the importance to actually receive a physical copy. I apologize for any inconvenience this causes, but it is a situation in which I have no control over. Plus, being pro se I have no access to the AIS system even if email were available.

I've sent a copy of this letter to the Appellate Court, informing them of the situation and any delays, if applicable, this may have caused.

Thank you in advance.

Very truly yours,



Molly Morphew, pro se

Cc: Amy L. Neuschafer, Esq.  
Steven L. Smith, Esq.  
David A. Collins, pro se

# Attachment C



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

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FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

November 03, 2020

Molly Morpew  
121 Sterling Dr.  
Rincon GA 31326

Re: Molly Morpew v. Stephen Dudek (2)  
Appellate Case No. 2018-002185

Dear Ms. Morpew:

We are in receipt of your correspondence dated September 9, 2020. Please be advised that if you wish to request relief from this Court you must do so in the form of a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules. Therefore, no further action will be taken on your correspondence. Furthermore, please be advised that only one appellant's initial reply brief may be filed. The appellant's initial reply brief filed on October 26, 2020 will not be considered unless a motion is filed to combine both appellant's initial reply briefs. If you wish to do so, you must serve and file a motion requesting to combine your appellant's initial reply briefs within ten (10) days of the date of this letter.

Otherwise, at this time the time for serving the record on appeal has expired. Within ten (10) days of the date of this letter, you must serve the record on appeal along with a motion requesting permission to serve the record on appeal outside of the filing deadlines set by Rule 210 of the South Carolina Appellate Court Rules. Your appeal will be dismissed if no motion is made within ten (10) days of the date of this letter.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Steven L. Smith, Esquire  
Amy Lynn Neuschafer, Esquire  
Amy L.B. Hill, Esquire  
Jordan Michael Crapps, Esquire  
Laura Ruth Baer, Esquire  
Robert McNair Peele, III, Esquire  
Samuel Melvil Wheeler, Esquire  
David Collins

# Attachment D

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Columbia, SC 29202

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Molly Morphey  
121 Sterling Drive  
Rincon, GA 31326-9425  
6650-79



# Attachment E

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable Deadra L. Jefferson, First Judicial Circuit  
The Honorable Edgar W. Dickson, First Judicial Circuit  
Honorable Maite Murphy, First Judicial Circuit

Appellate Case No. 2018-002185

Molly M. Morpew, Appellant,

v.

Stephen Dudek, Doreen Cross, David Collins, Allison Williams, First  
Federal, Michael Scarafile, Susan Nicholson, Carolina One Real Estate,  
Carrie Boyer, Woody Law Firm, Respondents.


**RECEIVED**  
NOV 12 2020  
SC Court of Appeals

CERTIFICATE OF SERVICE

I, Molly M. Morpew, Appellant [and pro se] for said case, hereby certify that I have, on this date indicated below, served Respondents below with the Appellant's REPLY BRIEF, CERTIFICATE OF COMPLIANCE pursuant Rule 208(b), and its DESIGNATION OF MATTER to be included in Record on Appeal, and this CERTIFICATE OF SERVICE for both the brief and Designation of Matter, by mailing a copy of same via United States Mail, postage prepaid and return address clearly indicated on said envelope, to Respondents at the following address:

Amy Hill, Esq.  
P.O. Box 7368  
Columbia, SC 29202

November 6, 2020

  
Molly M. Morpew, pro se  
121 Sterling Dr.  
Rincon, GA 31326

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable Deadra L. Jefferson, First Judicial Circuit  
The Honorable Edgar W. Dickson, First Judicial Circuit  
Honorable Maite Murphy, First Judicial Circuit

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Appellate Case No. 2018-002185

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Molly M. Morphew, Appellant,

v.

Stephen Dudek, Doreen Cross, David Collins, Allison Williams, First  
Federal, Michael Scarafile, Susan Nicholson, Carolina One Real Estate,  
Carrie Boyer, Woody Law Firm, Respondents.

**RECEIVED**  
NOV 12 2020  
SC Court of Appeals

---

CERTIFICATE OF SERVICE

---

I, Molly M. Morphew, Appellant [and pro se] for said case, hereby certify that I have, on this date indicated below, served Respondents below with the APPELLANT'S MOTION FOR EXTENSION, COMBINATION OF REPLY BRIEFS AND PAGE EXCEEDANCE by mailing a copy of same via United States Mail, postage prepaid and return address clearly indicated on said envelope, to Respondents at the following address:

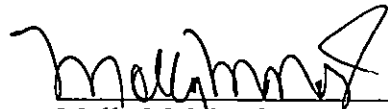
**Steven L. Smith, Esquire**  
**P.O. Box 40578**  
**Charleston, SC 29423-0578**  
**Attorney for Respondents:**  
Stephen Dudek  
Doreen Cross  
Susan Nicholson  
Michael Scarafile  
Carolina One

**David A. Collins, pro se**  
**P.O. Box 30052**  
**Charleston, SC 29417**  
Respondent, pro se

**Amy L. Neuschafter, Esquire**  
**Collins & Lacy, PC**  
**11945 Grandhaven Drive, Ste D**  
**Murrells Inlet, SC 29576**  
**Attorney for Respondents:**  
Carrie Boyer  
Woody Law Firm

**Amy L. B. Hill, Esquire**  
**Gallivan, White & Boyd, PA**  
**P.O. Box 7368**  
**Columbia, SC 29202-7368**  
**Attorney for Respondents:**  
Allison Williams  
First Federal Bank (aka South State  
Bank)

November 10, 2020

  
Molly M. Morpew, Appellant  
121 Sterling Dr.  
Rincon, GA 31326

November 8, 2020

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

**RECEIVED**  
NOV 12 2020  
SC Court of Appeals

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

Dear Ms. Kitchings:

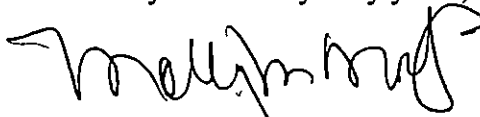
I am in receipt of your letter dated November 3, 2020, but am unsure what relief I would be required to ask for in regards to my September letter to this court informing them of my attempts to retain a copy of Respondents First Federal/Allison Williams initial brief. This court also received another letter dated October 23, 2020 communicating another attempt to retain a copy of their brief. On October 31, 2020 I received a copy of their brief and replied accordingly.

That would take us to the issue of combining a proper defense to the 10 respondents' briefs into one reply brief. My apologies if I was incorrect in my assessment of Rule 208 as I found nowhere that its' verbiage requires only 1 reply brief. (*also* see Motion included). Based on my research and lack of specificity of the rule, or its ambiguity, I thought I correctly assessed the rule.

Therefore, please find enclosed, an original and six (6) copies of APPELLANT'S MOTION FOR EXTENSION, COMBINATION OF REPLY BRIEFS AND PAGE EXCEEDANCE and the CERTIFICATE OF SERVICE to be recorded and filed.

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

Thank you and very truly yours,



Molly Morphew, pro se

Cc: Amy L. Neuschafer, Esq.  
Steven L. Smith, Esq.  
David A. Collins, pro se  
Amy B. Hill, Esq.