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SC Court of Appeals

**From:** [Rufus Rivers](#)  
**To:** [Court Of Appeals Filings](#)  
**Subject:** Fwd: 2018-CP-38-01339 Rivers v. Smith/Appellate Case No. 2020-000451  
**Date:** Wednesday, January 20, 2021 1:39:49 PM

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**From:** **Murphy, Maite Law Clerk (Brian Lapchak)** <[mmurphylc@sccourts.org](mailto:mmurphylc@sccourts.org)>  
**Date:** Wed, Jan 20, 2021 at 12:14 PM  
**Subject:** RE: 2018-CP-38-01339 Rivers v. Smith/Appellate Case No. 2020-000451  
**To:** Rufus Rivers <[rrivers788@gmail.com](mailto:rrivers788@gmail.com)>, Kathleen M. McDaniel <[kmcdaniel@burnetteshutt.law](mailto:kmcdaniel@burnetteshutt.law)>  
**Cc:** Sarah J. M. Cox <[SCox@burnetteshutt.law](mailto:SCox@burnetteshutt.law)>

Mr. Rivers:

As your case is placed on the Orangeburg motions roster for February 8, 2021, in front of Judge Goodstein, it is more appropriate for you to argue your case in front of the Judge on that date.

Respectfully,

Brian Lapchak

Law Clerk to The Honorable Maite Murphy

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**From:** Rufus Rivers <[rrivers788@gmail.com](mailto:rrivers788@gmail.com)>  
**Sent:** Tuesday, January 19, 2021 4:44 PM  
**To:** Murphy, Maite Law Clerk (Brian Lapchak) <[mmurphylc@sccourts.org](mailto:mmurphylc@sccourts.org)>; Court Of Appeals Filings <[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)>; Kathleen M. McDaniel <[kmcdaniel@burnetteshutt.law](mailto:kmcdaniel@burnetteshutt.law)>; Ritchie, Sierra <[siritchie@sccourts.org](mailto:siritchie@sccourts.org)>  
**Subject:** 2018-CP-38-01339 Rivers v. Smith/Appellate Case No. 2020-000451

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Mr. Lapchak, We are in receipt of your emails and notice of hearing to attorney McDaniel . The Rivers have not filed a motion to stay in the Circuit Court, nor do we intend to. We have been denied a stay in the Court of Appeals. Magistrate Stephanie McKune-Grant had already determined rents on November 2, 2018 and ordered us to pay \$700 per month which we have been paying. We currently have a motion pending in the Court of Appeals asking the court to invalidate that order. Not only does the Court of Appeals have exclusive jurisdiction of this matter at this time, any proceedings (filings/hearings) after the Supreme Court's order of May 6, 2020, are in direct violation of that order. Respondents filed a petition on May 1, 2020 asking this court to Determine Rent during the Pendancy of Appeal To The Court Of Appeals. On July 6, 2020 respondent's counsel filed a motion to Determine Rent During the Pendancy of Appeal to the Court of Appeals. The order is unambiguous as it relates to the pursuing of an eviction or foreclosure in a trial court, the pursuing party must submit to the court a signed, original Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act...if filed before this order, the Certification of Compliance must be filed with the court prior to proceeding with the eviction.... If a party required to file a Certificate of Compliance neglects to do so the eviction or foreclosure shall terminate without further action taken.(See attached order). On July 23,2020 that order was revised to include Magistrate's courts. As of this date, the pursuing party have not complied and appellants are requesting this matter be terminated. For the record, Judge Goodstein would be the 6th Judge involved in this matter?

Rufus Rivers, pro se

Merle Rivers,pro se

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