

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Appellate Case No. 2020-000405

Case No. 2019-CP-38-00655

**RECEIVED**

**May 11 2021**

**SC Court of Appeals**

Jacquita Funchess

..... Appellant,

v.

Glenfield Apartments

..... Respondent,

**RESPONDENT'S RETURN TO APPELLANT'S SECOND REQUEST FOR AN  
EXTENTION OF TIME TO SERVE THE RECORD ON APPEAL**

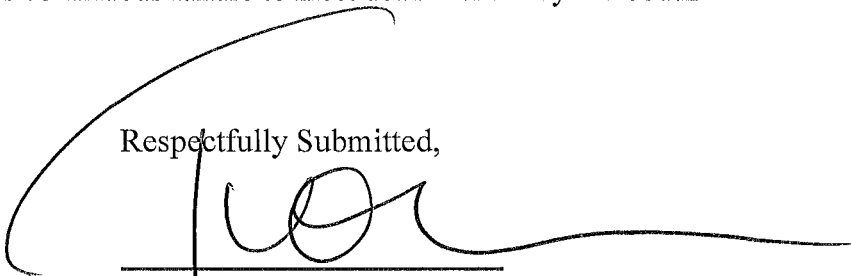
The Respondent, Glenfield Apartments, hereby Replies to Appellant's Second Request for an Extension of Time to Serve the Record on Appeal pursuant to 240 SCACR.

1. The above matter is an appeal from the Circuit Court. By Order dated February 7, 2020, The Honorable Maite Murphy dismissed Appellant's appeal of the Magistrate Court's eviction for failure to obtain a Return as required by SC Code of Laws 18-7-60.
2. Appellant failed to comply with Rule 210 SCACR which requires that within thirty (30) days after service of the last brief, the Appellant shall serve a copy of the Record on Appeal on each party who has served a brief. Proof of service of the Record shall be immediately filed with the clerk of the appellate court.

3. Appellant has failed to serve a copy of the Record on Appeal for more than thirty (30) days from the date Respondent filed its initial brief, December 10, 2020.
4. Respondent filed a motion to dismiss on January 20, 2021 due to the failure to serve a copy of the Record on Appeal for more than thirty (30) days from the date Respondent filed its initial brief, December 10, 2020 date.
5. Respondent's motion to dismiss was denied on March 4, 2021 by order of the Court of Appeals which required Appellant to serve the Record of Appeal within 30 days of said Order.
6. Appellant requested an extension of time to serve the Record of Appeal on April 5, 2021.
7. Appellant filed documents which were purported to be the Record of Appeal on April 15, 2021.
8. A letter was sent to Appellant on April 23, 2021 to Appellant explaining the rules to be followed and requiring the Record of Appeal be served within twenty (20) days of the letter.
9. Appellant requested a second extension of time to serve the Record of Appeal on April 26, 2021.
10. Appellant has continuously failed to meet the deadlines set forth by this Court.

WHEREFORE, Respondent prays for an order denying Appellant's Motion for an Extension of time due to Appellant's continuous failure to meet deadlines set by the South Carolina Appellate Court Rules.

Respectfully Submitted,



B. LINDSAY CRAWFORD, III  
THEODORE VON KELLER, SC BAR NO. 5718  
B. LINDSAY CRAWFORD, IV  
CHRISTOPHER LUSK  
POST OFFICE BOX 4216  
COLUMBIA, SOUTH CAROLINA 29240  
(803) 790-2626  
ATTORNEYS FOR RESPONDENT

Columbia, South Carolina

May 10, 2021

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**PROOF OF SERVICE**

I certify that I served RESPONDENT'S RETURN TO APPELLANT'S SECOND REQUEST FOR AN EXTENTION OF TIME TO SERVE THE RECORD ON APPEAL in this case by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Jacquita Funchess  
1303 Glenfield Circle Apartment  
Apartment J2  
Orangeburg, SC 29118



THEODORE VON KELLER, SC BAR NO. 5718  
CRAWFORD & VON KELLER, LLC  
POST OFFICE BOX 4216  
COLUMBIA, SOUTH CAROLINA 29240  
(803) 790-2626  
ATTORNEYS FOR RESPONDENT

May 10, 2021