

MB Hutson

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July 23, 2021

RECEIVED

Jul 23 2021

SC Court of Appeals

ELECTRONICALLY FILED AND SERVED

Jenny Abbott Kitchings, Clerk of Court
S. C. Court of Appeals
Post Office Box 11629
Columbia, S. C. 29211

Re: MB Hutson/MB Hudson v. Penn America Insurance Company, Global Indemnity Group Inc., Timothy Newton, Esq., JR Murphy, Esq., John Doe #1 and John Doe #2

Civil Action No.: 2018-CP-40-06344
Appellate Case No.: 2019-001488

Dear Ms. Kitchings:

I am in receipt of the ORDER filed July 15, 2021, on this case. After thorough and close scrutiny of the Order and on-line filings, I am in need of clarification, in order to correctly comply with “*serve and file Volume II and Volume III of the record on appeal, with the proper pagination and content that matches the February 22, 2021 record on appeal*” (Order, Par. 3, ll. 2-4) for several reasons:

1. Filed February 22, 2021, appear both the original “Index” and the “Corrected, Amended Index” (although Corrected Amended Index is *stamped 2/23/21*.)”
2. (NOTE: The “Corrected Amended Index” was submitted after Appellant’s collaboration with Respondent’s Counsel L. Baer, Esq., (per Rule 212), whereby she would submit an “**Appendix To The Record**” due to an oversight which stemmed from incorrect and later corrected filings by a respondent on his Exhibits (see Index entry #14 and original court filings on line).
Appellant’s required explicit permission to collaborate with Respondents is noted on the “Corrected Amended Index,” (page v.—last entry where the **Appendix to the Record** to add 5 pages is clearly noted).
3. Careful review of the “Appendix to the Record” does show that not the agreed five (5) pages, but 326 pages were included in the Appendix to the Record. **NOTE:** Those pages are NOT contested by this Appellant, **but** do overlap EXHIBITS from Appellant’s Record on Appeal, #14: namely Exh. #1 & Exh. #2.

THEREFORE, **IF** the court has, as it appears by the on-line record,

- accepted Respondent Baer Esq.'s submitted "APPENDIX TO THE RECORD" filing, and bound copy thereof (beginning with page 1376 as noted on the Corrected, Amended Index and the filed, and accepted, her Appendix to the Record),

and

- that "APPENDIX TO THE RECORD" **fully represents the Corrected, Amended Index entry #14, Exhibits #1 - #2**), which it does,

THEN, Appellant asks if it is therefore appropriate to eliminate duplications and also satisfactory to satisfy the July 15, 2021 ORDER to:

- note that Exhibits #1 and #2 (in the Corrected, Amended Index # 14) as being in the "APPENDIX TO THE RECORD",

and

- item # 14, Exhibit #3 ("V" 001-032)....see Corrected, Amended Index...would remain in the body of the Record on Appeal,

and

- show pages representing Exhibits #1 and #2 of item #14 in the Corrected, Amended Index... as "Deferred to the APPENDIX TO THE RECORD."

NOTE: If the aforementioned is deemed appropriate and pagination made sequential, then the beginning page of the Appendix to the Record would be grossly and negatively impacted unless:

a page in #14, *and* a note on the Corrected, Amended Index could reflect that:

Record on Appeal pages 727 through 928
have been corrected and deferred
to the APPENDIX TO THE RECORD, as follows:

(1)"ITEM # 14, Exhibit # 1 (Eject _00001 through Eject _000356) are viewable in the APPENDIX TO THE RECORD beginning at page 1342",

and

(2)"ITEM # 14, Exhibit # 2 (Clarendon County Public Index) is viewable in the APPENDIX TO THE RECORD beginning at page 1698".

(I believe this would free Respondents from any further edits.)

Thanking you, in advance, for your assistance, essential clarification, and timely response in this matter as I am hoping to NOT need to request an extension for additional time to comply after clarification.

Sincerely,

S / M B H u t s o n

M B Hutson, Appellant, Pro Se

Attachments

cc: All Counsel of Record

14.	AFFIDAVIT of Timothy Newton (filed 6/24/19)	724
	Corrected Exhibit #1: Eject 316-356.....	727 – 767
	Exhibit 2: Eject 156-315.....	768 – 928
	Exhibit 3: “V” (001-032).....	929 - 960
15.	Newton’s Amended Response to Plaintiff’s Supplemental Memorandum (filed 6/25/19) with (177 pp.):	961
	Exhibit DD	975
	Exhibit EE	981
	Exhibit FF	984
	Exhibit GG	1015
	Exhibit HH	1030
16.	Murphy’s Memorandum in Support of Motion to Dismiss (filed 6/25/19)	1138
17.	PAIC’s Motion for Summary Judgment (filed 6/14/19).	1140
	Exhibit “A”	1164
	Exhibit “B”	1258

TRANSCRIPT

18.	Complete TRANSCRIPT of motions hearing held before the Hon. Judge Michael Nettles on June 26, 2019 (64 pp.)	1277
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CERTIFICATES

19.	CERTIFICATE OF COMPLIANCE.	1375
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Exhibit "A"

14.	AFFIDAVIT of Timothy Newton (filed 6/24/19)	724
	Corrected Exhibit #1: (Eject 156-315 @ 768-928) & (Eject 316-356 @ 727-767)	
	Exhibit #2: See "Appendix to the Record" below.	1376
	Exhibit #3: "V" (001-032).	929
-----BEGIN BINDER 3 of 4 p. 847-----		
15.	Newton's Amended Response to Plaintiff's Supplemental Memorandum (filed 6/25/19) with (177 pp.):	961
	Exhibit DD	975
	Exhibit EE	981
	Exhibit FF	984
	Exhibit GG	1015
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CERTIFICATES

19.	CERTIFICATE OF COMPLIANCE.	1341
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-----BEGIN BINDER 4 of 4-----

APPENDIX TO THE RECORD	1342
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(Submitted by Respondent, (at their request and with Appellant's permission per Rule 212), which was inadvertently left out of the record):

Exhibit 2 to Affidavit of Timothy Newton :	"Clarendon County Public Index," filed June 25, 2019 (5 pp.)
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EXHIBIT "B"

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

FEB 25 2021

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Michael G. Nettles, Circuit Court Judge

Appellate Case No. 2019-001488
Civil Action Case No. 2018-CP-40-06344

MB Hutson/MB Hudson, Appellant,

v.

Penn America Insurance Company,
Global Indemnity Group, Inc.,
Timothy J. Newton, Esq., J.R. Murphy, Esq.,
John Doe #1, John Doe #2, Respondents.

APPENDIX TO AMENDED RECORD ON APPEAL

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PENN AMERICA INS. CO. & GLOBAL
INDEMNITY GROUP, INC.

Timothy J. Newton, Esq.,
J.R. Murphy, Esq.,
Murphy & Grantland, P.A.
4406 Forest Drive, Columbia, SC (29206)
P.O. Box 6648, Columbia, SC 29260

RESPONDENTS PRO SE

EXHIBIT C-1

INDEX

Exhibit 1 to Affidavit of Timothy Newton:
“Bates stamped document EJECT_00001 thru EJECT_000356”¹1342

Exhibit 2 to Affidavit of Timothy Newton:
“Clarendon County Public Index”²1698

¹ The entirety of this Exhibit was designated for inclusion in the Record but only a portion of it was included in the Amended Record on Appeal filed with the Court. For the two sections submitted were provided out of order. For ease of reference, the entirety of Exhibit 1 is provided in this Appendix.

Pagination in this Appendix continues from the last page of the Amended Record on Appeal, which is Huston’s Certification of Compliance at R. 1341.

² This Exhibit was designated for inclusion in the Record but inadvertently excluded from the Amended Record on Appeal filed with the Court. The parties agreed to its submission via this Appendix to the Record on Appeal.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Case No. 2018-CP-400-6344

Appellate Case # 2019-001488

MB Hutson/ MB Hudson

Appellant.

v.

Penn America Insurance Co.,
Global Indemnity Group, Inc.,
Timothy J. Newton, Esq., J.R.
Murphy, Esq., John Doe #1

Respondents,

PROOF OF SERVICE

I certify that I have ELECTRONICALLY FILED and SERVED the Appellant's Letter of July 23, 2021 to J. Kitchings, Clerk of Court, with a copy of this Proof of Service to Penn America Insurance Company and Global Indemnity Insurance Company, via their attorneys of record: Christian Stegmaier, Esq. and Laura Baer, Esq. of Collins & Lacy, and to J. R. Murphy, Esq., and Timothy Newton, Esq., of Murphy Grantland, P.A. on **July 23, 2021** as follows:
cstegmaier@collinsandlacy.com; lbaer@collinsandlacy.com;
tnewton@murphygrantland.com; jrmurphy@murphygrantland.com.

July 23, 2021



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