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FEB 05 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge
Trial Court Case No. 2019-CP-10-4492

Appellate Case No. 2020-001513

Cyrus Kamini,

v.

Chris Khamnei etal

**MOTION TO FILE AND SERVE
APPELLANT'S NOTICE OF APPEAL
AND CORRECTIVE DEFICIENCIES
OUT OF TIME**

NOW COMES undersigned Pro Se Appellant Cyrus Kamini and moves this Court for an Order allowing an extension of time or alternatively, out-of-time, to file and serve the Appellant's Initial Notice of Appeal. The grounds for the same include:

1. This Appeal is taken from an Order of Dismissal by the Honorable Bentley D. Price, Jr., Charleston County, SC.
2. After Motion for Reconsideration, the Order denying relief was issued on November 25, 2020.
3. Appellant filed a timely Notice of Appeal with this Court on December 23, 2020.
4. While Appellant's Notice was timely, there were various deficiencies that this Court required correction by Appellant and by a date certain.
5. However, Appellant respectfully submits to this Court that he did not receive said letters/correspondence from the Court informing Appellant of said deficiencies and *the time-frame allotted to correct the same*.
6. Now, having made the Court aware of his non-receipt of the aforementioned

notices/correspondence from the Court, Plaintiff moves this Court for an Order allowing Plaintiff to correct the deficiencies highlighted by the Court, Out-of-Time.

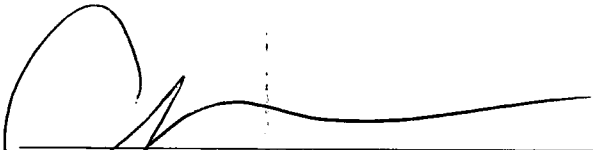
7. Appellant also respectfully submits that he is a lay-person and is not otherwise familiar with the proper constructs or mechanics in the filing and serving of the Notice of Appeal and those limitations also contributed towards the filing deficiencies.
8. Appellant is now postured to correct the deficiencies and submit the same to the Court.
9. In addition, should the Court in its wisdom grant the relief requested herein, the Respondents will not be prejudiced thereby as they will have opportunity to respond as per the rules of this Court.

WHEREFORE, Pro-Se Appellant Cyrus Kamini prays the Court will grant:

1. Allow Appellant to correct the deficiencies and serve the same upon all parties, Out-of-Time.
2. Such other relief as may be appropriate.

I so Move!

This 1st Day of February 2021.



Cyrus Kamini
2601 Carner Avenue, North Charleston
South Carolina 2940
843.460.7462
Cyrus.kamni907@gmail.com

Ex. 1



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 29, 2021

Cyrus Kamini
2601 Carner Avenue
North Charleston SC 29405

Re: Cyrus Kamini v. Chris Khamnei
Appellate Case No. 2020-001676

Dear Counsel:

Pursuant to a phone call between appellant-respondent Mr. Kamini and a staff member of the Court, appellant-respondent states that he has not received any correspondence from the Court. Enclosed are the documents that were not received by Mr. Kamini. Within ten (10) days of the date of this letter, appellant-respondent Mr. Kamini must serve and file his deficiency corrections along with a motion, pursuant to Rule 240, SCACR, to serve and file his deficiency corrections outside the filing deadlines or this appeal will be dismissed.

Very truly yours,

V. Claire Allen

CLERK

cc: Amanda Coney Williams, Esquire
Warren Westbrook Wills, III
Heideh Larijani
Chris Khamnei



The South Carolina Court of Appeals

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December 29, 2020

Cyrus Kamini
2601 Carner Avenue
North Charleston SC 29405

Re: Cyrus Kamini v. Chris Khamnei
Appellate Case No. 2020-001676

Dear Mr. Kamini:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The required filing fee has not been submitted. The correct filing fee is \$250.00.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- Pursuant to Rule 203(d)(1)(B), SCACR, a copy of the notice of appeal must be filed with the clerk of the trial court.

Very truly yours,

Catherine J. Fanning, deputy

CLERK

cc: Amanda Coney Williams, Esquire
Heideh Larijani
Warren Westbrook Wills, III
Chris Khamnei



The South Carolina Court of Appeals

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December 29, 2020

Cyrus Kamini
2601 Carner Avenue
North Charleston SC 29405

Re: Cyrus Kamini v. Chris Khamnei
Appellate Case No. 2020-001676

Dear Mr. Kamini:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Catherine J. Fanning, deputy

CLERK

cc: Amanda Coney Williams, Esquire
Heideh Larijani
Warren Westbrook Wills, III
Chris Khamnei



The South Carolina Court of Appeals

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December 29, 2020

Cyrus Kamini
2601 Carner Avenue
North Charleston SC 29405

Chris Khamnei
82 Overlake Park
Burlington VT 05401

Re: Cyrus Kamini v. Chris Khamnei
Appellate Case No. 2020-001676

Dear Mr. Kamini and Mr. Khamnei:

This Court has received multiple notices of appeal in this matter. These appeals will be consolidated for consideration by the Court under the South Carolina Appellate Court Rules (SCACR), and we anticipate receiving one record on appeal. The times for perfecting this appeal will run from the service of the last notice of appeal.

In light of this consolidation, the title of this case is amended as follows:

Cyrus Kamini, Appellant-Respondent,

v.

**Heideh Larijani, Chris Khamnei, Richard Kozlowski, and Warren
Westbrook Wills III, Respondents,**

of whom Chris Khamnei is the Respondent-Appellant.

Very truly yours,


CLERK

cc: Amanda Coney Williams, Esquire
Heideh Larijani
Warren Westbrook Wills, III
Chris Khamnei

MOTION TO FILE AND SERVE NOTICE OF APPEAL DRAFTING CORRECTIONS OUT OF TIME

PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Judge Bentley Price, Circuit Court Judge

Case No. 2019-CP-10-04492

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SC Court of Appeals

Heideh Larijani, Chris Khamnei, Richard Kozlowski, Warren Westbrook Wills,
Respondents,

V.

Cyrus Kamini,

Appellant.

PROOF OF SERVICE

I certify that I have served the *MOTION* on Heideh Larijani, Chris Khamnei, Richard Kozlowski, Warren Westbrook Wills, Respondents by depositing a copy of it in the United States Mail, postage prepaid, on February 1, 2021, addressed to:

1)- **Warren Westbrook Wills III**

2395 Folly Road., Unit 2-E

Folly Beach, SC 29439

2)- **Amanda C. Williams Esq.**

Parker Poe Adams & Bernstein LLP

200 Meeting street, suite 301

Charleston SC, 29401

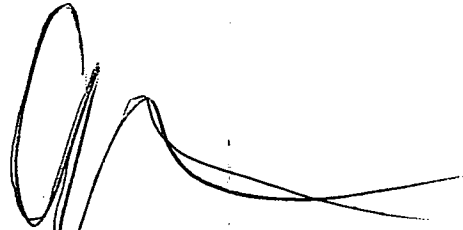
3)- **Heideh Larijani**

412 Farrell St #320, South Burlington, VT 05403.

4)- **Chris Khamnei**

82 Overlake Park Burlington VT, 05401
chriskhamnei@gmail.com

February 1, 2021

A handwritten signature in black ink, appearing to read 'Cyrus Kamini', with a long horizontal flourish extending to the right.

Cyrus Kamini
2601 Carner Avenue
North Charleston, South Carolina 29405
843.460.7462
Appellant