

Burns, LaToyla

From: Daniel Draisen <daniel@Injuredsc.com>
Sent: Wednesday, September 1, 2021 3:27 PM
To: Burns, LaToyla; tim@theclardylawfirm.com; steve@krauselaw.org; attorneydonaldsmith@gmail.com; kirk@mllawyers.com
Cc: tracy@mllawyers.com; debra@krauselaw.org; kirstenn0118@gmail.com; Kathy Ursone
Subject: RE: SC Court of Appeals: Ex Parte Smith (Battersby v. Kirkman) (2020-000070)
Attachments: Ex Parte Donald Smith - Motion to Dismiss FILED.pdf

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Thanks LaToyla! I have one question and I am not certain to whom it should be addressed. I filed a Motion to Dismiss the appeal on the grounds that it was not properly perfected. No Notice of Appeal was served, in accordance with the Rules, on the Anderson County Clerk of Court. The matter does not show in the SC E-Filing system that the case is on appeal, and there is no Notice of Appeal filed in the case documents. A copy of my Motion is attached hereto. The Court ruled on parts II and III of the Motion, but did not address part I of the motion, and stated that Mr. Smith could proceed only on the last of the orders awarding sanctions. It is that Order for which no Notice of Appeal was filed with the Clerk of Court. How do I best address this with the Court?? Kind regards, Daniel

Daniel L. Draisen. Esq.
Attorney



2006 N. Main Street
Anderson, South Carolina 29621
(864) 888-8887
daniel@injuredSC.com
www.injuredSC.com



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From: Burns, LaToyla
Sent: Wednesday, September 01, 2021 3:08 PM
To: tim@theclardylawfirm.com; steve@krauselaw.org; attorneydonaldsmith@gmail.com; kirk@mllawyers.com; Daniel Draisen <daniel@Injuredsc.com>
Cc: tracy@mllawyers.com; debra@krauselaw.org; kirstenn0118@gmail.com; Kathy Ursone <kathy@Injuredsc.com>
Subject: SC Court of Appeals: Ex Parte Smith (Battersby v. Kirkman) (2020-000070)

Dear Counsel,

Attached in this email is correspondence from the Court of Appeals.

Respectfully,

LaToyla Burns

Appeals Specialist
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201
803-734-1890|Office
803-734-1839|Fax
www.sccourts.org|Web
ctappfilings@sccourts.org|Email

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