

RECEIVED

Oct 31 2022

SC Court of Appeals

October 31, 2022  
1438 W. Lantana Rd. #330  
Lantana, FL 33462  
(323) 245-6142  
[hanginhangout@gmail.com](mailto:hanginhangout@gmail.com)

The Honorable Jenny Abbott Kitchings and  
Clerk of Court South Carolina Office of Court Administration  
SC Court of Appeals 1220 Senate St. STE 200  
1220 Senate St. Columbia, SC 29201  
Columbia, SC 29201 [transcripts@sccourts.org](mailto:transcripts@sccourts.org)  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Re: Appellate Case No. 2022-001312  
All Correspondence with Court Reporter, Title II of Americans with Disabilities Act Reasonable  
Accommodation Request, Copies of Certificate and Proof of Service

Dear Ms. Kitchings and to ALL CONCERNED:

Good day to you!

Enclosed for filing, please find copies of all correspondence with the court reporter, Michael C. Watkins, as of October 21, 2022, pursuant of/to Rule 207, SCACR and Rule 607, SCACR, along with a reasonable accommodation request pursuant of/to Title II of the Americans with Disabilities Act that was previously filed and served partially to respondents. This is now being served to the remainder of respondents because this matter was under abeyance awaiting a decision on a motion to withdraw and substitution of counsel made and granted the same date of Appellant's previous said filing. Respondents are not prejudiced.

Please call the above number if you have any questions.

Thank you for your time and assistance regarding this matter.

Respectfully submitted,

  
\_\_\_\_\_  
Heidi Gersten

Appellant/Petitioner

HG/Enclosures/ All Correspondence with Court Reporter, Title II of Americans with Disabilities  
Reasonable Accommodation Request, Copies of Certificate and Proof of Service

Total pages: Twenty (20) including this cover sheet.

*p/US*

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Columbia, SC 29201 [transcripts@sccourts.org](mailto:transcripts@sccourts.org)  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Re: Appellate Case No. 2022-001312 and  
Appellate Case No. 2022-001390

All Correspondence with Court Reporter, Title II of Americans with Disabilities Act Reasonable  
Accommodation Request, Copies of Certificate and Proof of Service + Exhibits A, B, C, D

Dear Ms. Kitchings and to ALL CONCERNED:

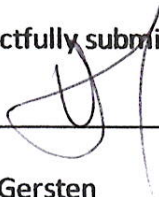
Good day to you!

Enclosed for filing, please find copies of all correspondence with the court reporter, Michael C. Watkins, as of today's date pursuant of/to Rule 207, SCACR and Rule 607, SCACR, along with a reasonable accommodation request pursuant of/to Title II of the Americans with Disabilities Act.

Please call the above number if you have any questions.

Thank you for your time and assistance regarding this matter.

Respectfully submitted,



---

Heidi Gersten

Appellant/Petitioner

HG/Enclosures/ All Correspondence with Court Reporter, Title II of Americans with Disabilities  
Reasonable Accommodation Request, Copies of Certificate and Proof of Service + Exhibits A, B, C, D

Total pages: including this cover sheet.

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**SC Court of Appeals**

THE STATE of SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

Honorable J. Mark Hayes II, Circuit Court Judge

---

Case No. 2018-CP-12-00117  
2028-AP-12-00074

---

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard, Plaintiffs,

Of whom Heidi Gersten is Appellant,

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Insurance Company, Interinsurance Exchange of the Automobile Co, John Ammendola, Trustgard Insurance Company, Blackwell, SC Department of Public Safety, Chevrolet, GMC, Unknown John Does, Respondents.

---

ALL CORRESPONDENCE with COURT REPORTER,  
TITLE II of the AMERICANS with DISABILITIES ACT  
REASONABLE ACCCOMMODATION REQUEST

---

TO ALL CONCERNED:

The Appellant Heidi Gersten pursuant of/to Rule 207, SCACR  
and Rule 607, SCACR, hereby provides all correspondence with the

1 of 1

court reporter, Michael C. Watkins, along with a reasonable accommodation request pursuant of/to Title II of the Americans with Disabilities Act to accept the said correspondence as timely, on the grounds for the following reasons.

1. Appellant Heidi Gersten became paralyzed as a result of a collision with Respondent Kevin Carter on March 19, 2015.
2. The Appellant is a qualified individual of and protected under the Americans with Disabilities Act.
3. Title II of the Americans with Disabilities Act permits reasonable accommodations to modify all law, rules, procedures, as an example.
4. The Appellant was following the rules in obtaining transcripts necessary for her to perfect her brief for this appeal.
5. During her correspondence with the court reporter, Michael C. Watkins, she became ill, which included fever and diarrhea attacks, in addition to suffering from her secondary complication to being paralyzed of a stage 4 pressure wound, located on her left buttocks, which prevents her from sitting down for long periods of time without further injury to it.
6. The Appellant is a vulnerable adult under South Carolina law.
7. The Appellant is without a caregiver or aid or assistant or any

- family or friend to help her in her daily life, as she lives alone.
8. Non attorneys are held to a less stringent standard than attorneys when courts are reviewing legal documents and making orders and decisions based on them.
  9. The attached emails are the correspondence made between the Appellant and Mr. Watkins as of this date.
  10. The Appellant's brief is not due until 30 days after she receives a copy of the transcripts requested.
  11. The Appellant has already paid for her transcripts.
  12. Mr. Watkins requested additional steps for the Appellant to make in order to receive the transcripts.
  13. The Appellant is starting to feel better as of today and is continuously challenged with complying with rules, statutes, and laws in general, due to her disability of being paralyzed in addition to caring for herself and her noncontagious deadly secondary complication from being paralyzed illness of pressure wounds and her frequent diarrhea attacks and clean up.
  14. The Appellant may amend this order as she is making a good faith effort to provide the correspondence thus far.

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15. The reasonable request the Appellant is making is to accept her providing the correspondence pursuant of/to Rule 207, SCACR and Rule 607, SCACR as timely.

16. This does not prejudice the Respondent Kevin Carter.

FOR THE FOREGOING REASONS, the Appellant's Title II of the Americans with Disabilities Act Reasonable Accommodation Request should be granted, and the correspondence provided be accepted and declared as timely.

Respectfully submitted this 21<sup>st</sup> of October 21, 2022



---

Heidi Gersten, Appellant  
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1438 W. Lantana Rd. #330  
Lantana, FL 33462  
(323) 245-6142  
[hanginhangout@gmail.com](mailto:hanginhangout@gmail.com)

Other Counsel of Record

Wesley Brian Sawyer, Esquire  
Murphy & Grantland, P.A.  
4406-B Forest Drive  
Columbia, SC 29206  
(Attorney for Kevin Carter and Richard Davis)  
(803) 782-4100  
[wsawyer@murphygrantland.com](mailto:wsawyer@murphygrantland.com)

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EXHIBIT A  
July 28, 2022 EMAIL TRANSCRIPT REQUEST  
(HEARING)



Heidi Veronika Gersten <hanginhangout@gmail.com>

### Gersten Transcript of July 28, 2022 Honorable Judge J. Mark Hayes

8 messages

**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: mwatkins@sccourts.org

Mon, Aug 1, 2022 at 5:54 PM

Dear Michael Watkins,

Good day to you!

I would like to get a copy of the transcript for the July 28, 2022 hearing in front of Honorable Judge J. Mark Hayes. Please let me know the cost.

Thank you.



**Watkins, Michael C.** <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

Tue, Aug 2, 2022 at 10:44 AM

Hey Ms. Gersten,

I will happy to get the transcript to you. Let me get an estimate to you. I will need the money first before I begin preparation.

Mike

**From:** Heidi Veronika Gersten <hanginhangout@gmail.com>  
**Sent:** Monday, August 1, 2022 5:54 PM  
**To:** Watkins, Michael C. <MWatkins@sccourts.org>  
**Subject:** Gersten Transcript of July 28, 2022 Honorable Judge J. Mark Hayes

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

--- CONFIDENTIALITY NOTICE --- This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <MWatkins@sccourts.org>

Tue, Aug 2, 2022 at 2:59 PM

Thank you! 😊

---

**Watkins, Michael C.** <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

Thu, Aug 4, 2022 at 9:54 AM

Hi, I estimate this transcript to be 17 pages @ \$4.25 per page, which totals \$72.25. I would need payment first before I begin preparation. If you are still interested let me know and I will give my address and who to make the money order or bank check out to.

Thanks!

Mike

---

**From:** Heidi Veronika Gersten <hanginhangout@gmail.com>  
**Sent:** Tuesday, August 2, 2022 2:59 PM  
**To:** Watkins, Michael C. <MWatkins@sccourts.org>  
**Subject:** Re: Gersten Transcript of July 28, 2022 Honorable Judge J. Mark Hayes

---

**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <MWatkins@sccourts.org>

Thu, Aug 4, 2022 at 10:00 AM

Yes. I would like the transcript. Please send me your address. Thank you, Mike! I hope you are having a fabulous day!



---

**Watkins, Michael C.** <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

Thu, Aug 4, 2022 at 10:04 AM

Make payable to Michael Watkins

Mail to: 5116 Cressingham Drive  
Indian Land, SC 29707

Once payment is received I will start on it promptly!!!

Mike

---

**From:** Heidi Veronika Gersten <hanginhangout@gmail.com>  
**Sent:** Thursday, August 4, 2022 10:00 AM

---

**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <MWatkins@sccourts.org>

Wed, Sep 28, 2022 at 2:10 PM

I got a money order today for the amount requested. I will prepare an envelope, along with a cover letter, and send you a tracking number later today. 😊

---

**Watkins, Michael C.** <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

Thu, Oct 6, 2022 at 8:42 AM

I received the money orders.

I need you to do this for me...can you send a formal request for the 8-19-22 hearing to transcripts@sccourts.org? They will tell you where to find the form to fill out and send. We have a new way of doing things Then they will send me the audio for that hearing and I'll get it prepared and sent to you. No need to do that on the first hearing with Judge Hayes, I have that one covered. And I'll resend the hearing from May of '18.

I do appreciate it.

Mike

---

**From:** Heidi Veronika Gersten <hanginhangout@gmail.com>  
**Sent:** Wednesday, September 28, 2022 2:10 PM

# EXHIBIT B

Aug 18, 2022 Email transcript Request  
(Hearing)



Heidi Veronika Gersten <hanginhangout@gmail.com>

(no subject)  
7 messages

Wed, Sep 21, 2022 at 9:45 AM

Heidi Veronika Gersten <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <mwatkins@sccourts.org>

To Michael Watkins and ALL CONCERNED:

Good day to you!

Per S.C. App. Ct. R. 207(a)(1), I would like to get a copy of the transcript for the August 18, 2022 hearing in front of Honorable Judge Hayes. Please let me know the cost, address to send payment to, form of payment, i.e. check, money order, or credit or debit card, Paypal, etc., who to make the payment out to, and any other pertinent information that I should know.

Thank you. Respectfully,

Heidi Gersten

Wed, Sep 21, 2022 at 9:51 AM

Watkins, Michael C. <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

Good morning, Ms. Gersten

I am working out of town this week but will get these two quotes to you when I return.

Thanks, Mike

From: Heidi Veronika Gersten <hanginhangout@gmail.com>  
Sent: Wednesday, September 21, 2022 9:45 AM  
To: Watkins, Michael C. <MWatkins@sccourts.org>  
Subject:

\*\*\* EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

[Quoted text hidden]

--- CONFIDENTIALITY NOTICE --- This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

Thu, Sep 22, 2022 at 10:43 AM

Heidi Veronika Gersten <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <MWatkins@sccourts.org>

Thank you!

Fri, Sep 23, 2022 at 9:45 AM

Watkins, Michael C. <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

The July hearing I estimate will be 17 pages @ 4.25 per page equaling 72.25.

From: Heidi Veronika Gersten <hanginhangout@gmail.com>  
Sent: Thursday, September 22, 2022 10:43 AM  
To: Watkins, Michael C. <MWatkins@sccourts.org>  
Subject: Re:

[Quoted text hidden]

Tue, Sep 27, 2022 at 11:13 AM

Heidi Veronika Gersten <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <MWatkins@sccourts.org>

Good day to you, Michael!

This is a request for the August 18, 2022 hearing in front of Judge J. Mark Hayes, II. Thank you.

Heidi Gersten

Tue, Sep 27, 2022 at 1:29 PM

Watkins, Michael C. <MWatkins@sccourts.org>  
To: Heidi Veronika Gersten <hanginhangout@gmail.com>

I estimate the 8-18-22 transcript to be 30 pages \$4.25 per page, equaling \$127.50. If I have over estimated I will refund the difference.

From: Heidi Veronika Gersten <hanginhangout@gmail.com>  
Sent: Tuesday, September 27, 2022 11:13 AM  
To: Watkins, Michael C. <MWatkins@sccourts.org>  
Subject: Re: Re:

[Quoted text hidden]

Wed, Sep 28, 2022 at 2:09 PM

Heidi Veronika Gersten <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <MWatkins@sccourts.org>

# EXHIBIT C

September 5 2018 Email transcript request  
(clearing)



Heidi Veronika Gersten <hanginhangout@gmail.com>

---

## September 5, 2018 Transcript Request

1 message

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**Heidi Veronika Gersten** <hanginhangout@gmail.com>  
To: "Watkins, Michael C." <mwatkins@sccourts.org>

Mon, Sep 19, 2022 at 10:36 AM

To Michael Watkins and ALL CONCERNED:

Good day to you!

Per S.C. App. Ct. R. 207(a)(1), I would like to get a copy of the transcript for the September 5, 2018 hearing in front of Honorable Judge Hayes. Please let me know the cost, address to send payment to, form of payment, i.e. check, money order, or credit or debit card, Paypal, etc., who to make the payment out to, and any other pertinent information that I should know.

Thank you. Respectfully,

Heidi Gersten 😊

Exhibit D

Transcript Request form  
requested by court reporter



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**SC Court of Appeals**

THE STATE of SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

Honorable John C. Hayes III, Circuit Court Judge  
Honorable Brian M. Gibbons, Circuit Court Judge

---

Case No. 2018-CP-12-00117  
2028-AP-12-00074

---

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard, Plaintiffs,

Of whom Heidi Gersten is Appellant,

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Insurance Company, Interinsurance Exchange of the Automobile Co, John Ammendola, Trustgard Insurance Company, Blackwell, SC Department of Public Safety, Chevrolet, GMC, Unknown John Does, Respondents.

---

**CERTIFICATE/PROOF OF SERVICE**

---

I certify that I have served ALL CORRESPONDENCE with COURT REPORTER, TITLE II of the AMERICANS with DISABILITIES ACT REASONABLE ACCCOMMODATION REQUEST and attached Exhibits on the following by depositing a copy of it in the United States Mail, postage prepaid, and return address clearly marked on October 21, 2022:

Wesley Brian Sawyer, Esquire  
Murphy & Grantland, P.A.  
4406-B Forest Drive  
Columbia, SC 29206  
(Attorney for Kevin Carter and Richard Davis)

South Carolina Office of Court Administration  
1220 Senate St. STE 200  
Columbia, SC 29201  
**transcripts@sccourts.org**

October 21, 2022



---

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Wesley Brian Sawyer, Esquire

10F3

Murphy & Grantland, P.A.  
4406-B Forest Drive  
Columbia, SC 29206  
(Attorney for Kevin Carter and Richard Davis)

William H. Davidson, II, Esquire  
Davidson, Wren & Plyler, P.A.  
Post Office Box 8568  
Columbia, SC 29202  
(Attorney for SC Department of Public Safety & Herbert Blackwell)

Alexander S. Hogsette, Esquire  
Turner Padgett Graham & Laney, P.A.  
Post Office Box 5478  
Florence, SC 29502  
(Attorney for Joseph Tirbovich)

David R. Sligh, Esquire  
Turner Padgett Graham & Laney, P.A.  
Post Office Box 2116  
Myrtle Beach, SC 29578  
(Attorney for Nationwide Mutual Ins. Co.)

Reynolds Williams, Esquire  
Wilcox Buyck & Williams, P.A.  
Post Office Box 1909  
Florence, SC 29502  
(Attorney for Interinsurance Exchange of the Automobile Club)

Christan Stegmaier, Kelsey J. Brudvig,  
Post Office Box 12487  
Columbia, SC 29211  
(Attorneys for Trustgard Insurance Company and John Ammendola)

South Carolina Office of Court Administration  
**transcripts@sccourts.org**



---

Heidi Gersten, Appellant

October 31, 2022

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