

97481

**THE SOUTH CAROLINA COURT OF APPEALS
A MOTION OF REQUEST TO THE CHIEF CLERK
October 27, 2022**

**The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
V. CLAIRE ALLEN
CHIEF DEPUTY CLERK**

RECEIVED

NOV 03 2022

SC Court of Appeals

**RE: Peggy Pinnell & State Farm Represented By
Charles R. Norris, Respondent V. Joe Clemons, Appellant
Appellate Case No. 2021-001183**

Dear Mrs. V. Claire Allen,

I'm asking and requesting that this motion is to get the ASCII Disks (unedited rough copy) and Unedited (rough draft) e-mailed Transcripts from the trial on 8-23 & 24-2021 and 1-11-2021. Also "Retention of Tapes," because I have challenge and I'm challenging the accuracy of the transcriptions.

Mrs. V. Claire Allen, this request is in response to the letter of October 12, 2022, which states "If you wish for the court to take some further action, you must file a motion." This motion is for that purpose and I'm also asking this court to subpoena all my courts hearings and trial ASCII DISKS AND UNEDITED (rough draft) E-MAIL TRANSCRIPTS, that took place in this case. Because this court knows that I have been complaining about the accuracy of all the documents and exhibits the respondent has been producing and presenting. I have been trying to get those Audio, Disks and accurate transcripts for over a year from the Court Administration. I have spoken to Mrs. Tonnya K. Kohn, the director and a lot of other people in that department, but they have blocked me from calling and have stopped responding to my e-mails and requests. I'm also asking this court to please preserve everything that is connected to this case from being deleted or erased, until this case is over.

Also, I'm sending a subpoena requesting your office or the court of appeals to get those things I have requested. The Court Administration supposed to be a neutral entity, so why are they obstructing justice and refuse to give me my recording and to give me what I need and Why???

I am also enclosing the \$50.00 filing fee.

Thank you,

Ms. Kitchings & Ms. Allen,

—Joe Clemons Pro Se Litigant/Apologist for Appellant
2202 Addidas St. Eutawville, SC 29048 (843) 753 7007

Joe Clemons

10-27-2022



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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October 12, 2022

Joe Clemons
2202 Addidas St.
Eutawville SC 29048

Re: Joe Clemons v. Peggy H. Pinnell Agency, Inc.
Appellate Case No. 2021-001183

Dear Mr. Clemons:

The Court of Appeals does not have or maintain any recordings of trial matters that would be responsive to your request. If you wish for the Court to take some further action, you must file a motion.

Very truly yours,

V. Claire Allen

CLERK

cc: Charles R. Norris, Esquire

STATE OF SOUTH CAROLINA

ISSUED BY THE Appeals COURT IN THE COUNTY OF Richland
Joe Clemons, Plaintiff

SUBPOENA IN A CIVIL CASE

Peggy H. Pinnell Agency, Inc.
State Farm Life Insurance Co., Defendant

Case Number: 2021-001183

Pending in Richland County

TO:

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY _____

COURTROOM _____

DATE AND TIME _____, _____

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION _____

DATE AND TIME _____, _____

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:

① Unedited transcripts and ② ASCII Disk of 2019CPO800424: 8/23, 9/24, and 1/11 hearing
③ Retention of tapes of also, of 8-23-24-2021 and 1-11-2021, or whatever is could
Refer to the Requests.

PLACE _____

DATE AND TIME _____, _____

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES _____

DATE AND TIME _____, _____

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(e)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Joe Clemons
Attorney/Issuing Officer's Signature
Indicate if Attorney for Plaintiff or Defendant
Attorney's Address and Telephone Number :

10-26-2022
Date

Joe Clemons
Print Name

Clerk of Court/Issuing Officer's Signature
Pro Se Litigant's Name, Address and Telephone Number :

Date

Print Name

Re: Request for ASCII Disks

From: Joe Clemons (clemonswelding1@gmail.com)

To: dbeatty@sccourts.org; tkohn@sccourts.org; jazzmine.clemons@yahoo.com; ctappfillings@sccourts.org; charles@whelanmellen.com; cobbshunter@gmail.com; vernonstephens@scsenate.gov; Hunter@mail.house.gov; brandon.hernander@mail.house.gov; info@scag.gov; joejefferson@tds.net; sheliaclemons@ymail.com

Date: Monday, April 18, 2022, 10:46 PM EDT

Hello Mrs. Kohn, I forgot to state that I also need you to include that ASCII Disk of 8-23&24-2021, of my jury trial, because you know I have rejected the accuracy of that transcript, and the second half of that transcript is not signed and can't be certified. Please let me know what you are going to do.

On Mon, Apr 18, 2022, 3:05 PM Joe Clemons <clemonswelding1@gmail.com> wrote:

----- Forwarded message -----

From: **Jazzminè Clemons** <jazzmineclemons@outlook.com>
Date: Sun, Apr 17, 2022, 9:45 PM
Subject: Request for ASCII Disks
To: Joe Clemons <clemonswelding1@gmail.com>

Mrs. Kohn,

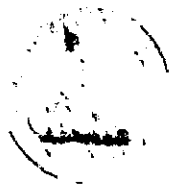
I am requesting the audio / ASCII Disks of the unedited original transcripts of the November 30, 2020 and January 11, 2021 hearings, as highlighted in SC Judicial Branch Rule 67 h(D), Court Reporter Transcripts and Tapes:

(D) A fee of One Dollar and Fifty Cents (\$1.50) per page for unedited (rough copy) ASCII Disks when no request for an original transcript has been made.

The reason for this request is because the hearing transcripts that I have are inaccurate. I ask because my wife and I were present during the hearings and will know for certain what events took place, and what did not; the only people who will know what was said during the hearings are the people who were there.

Please let me know if this is possible. Thank you for your help.

Joe Clemons



South Carolina Court Administration
 South Carolina Court Reporting
 Columbia, South Carolina

STATE OF SOUTH CAROLINA
 COURT REPORTING DIVISION

March 21, 2021

Mr. Joe Clemens
 2202 Addicks St.
 Eutawville, SC 29048

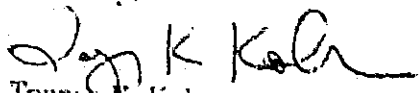
Dear Mr. Clemens:

I received your written request to listen to the audio recordings of proceedings in your matter held on November 30, 2020 and January 11, 2021. I deny your request for the following reasons:

1. Pursuant to Rule 607, SCACR, the transcribed paper copy is the official court record.
2. Re: The transcript of the hearing held on November 30, 2020. Pursuant to the Transcript Challenge Procedure, Court Reporting Section managers reviewed your challenge by listening to the audio while simultaneously comparing it to the transcript, found the transcript to be an accurate reflection of what occurred during the proceedings, and the findings were communicated to you verbally and in writing on several occasions.
3. Re: The transcript of the hearing held on January 11, 2021. Pursuant to the Transcript Challenge Procedure, Court Reporting Section managers reviewed your challenge by listening to the audio while simultaneously comparing it to the transcript, found the transcript to be an accurate reflection of what occurred during the proceedings, and the findings were communicated to you verbally and in writing on several occasions.
4. Further, Judge Young's office reviewed and compared the audio and transcript from the January 11, 2021 proceeding, and in an email to you, Judge Young's law clerk stated, "The transcript accurately reflects Judge Young's ruling."

This concludes all matters pertaining to the accuracy of the aforementioned transcripts.

Sincerely,


 Tony K. Kohn
 State Court Administrator

I'm requesting (1) "A Fee of one Dollar and 111/100 cents (1.11) Per page for unedited (rough) ASCL Disks and (2) unedited (rough draft) Trans.



State of South Carolina
The Circuit Court of the Ninth Judicial Circuit

Roger W. Young, Sr.
Judge

Charleston County Judicial Center
100 Broad Street, Suite 368
Charleston, SC 29401
Phone: (843) 958-2015
Fax: (843) 958-5108

March 10, 2021

Joe Clemons
2202 Adidas Street
Eutawville, SC 29408

Re: 2019CP0800424: Clemons VS Peggy H. Pinnell Agency, Inc.

Dear Mr. Clemons,

I did not have a hearing on this past Monday. In preparation for today's hearing, I read on Monday what you filed. It had no new matters to cover other than what you previously filed. You disagreed with what the tape and transcript said. I disagree with you. Therefore, there was no reason to have a new hearing.

As with all cases, if you disagree with my ruling you can appeal to the Court of Appeals.

Sincerely,

Roger M. Young, Sr.



South Carolina JUDICIAL BRANCH



[Text Only Page](#)

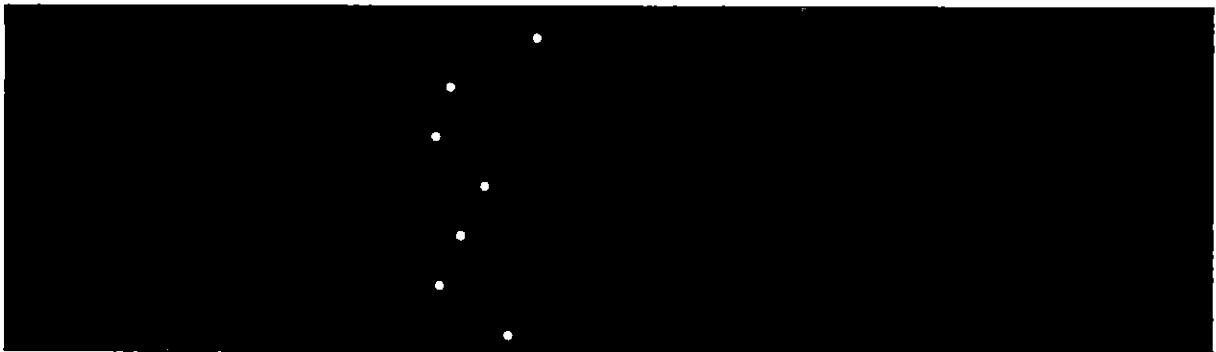
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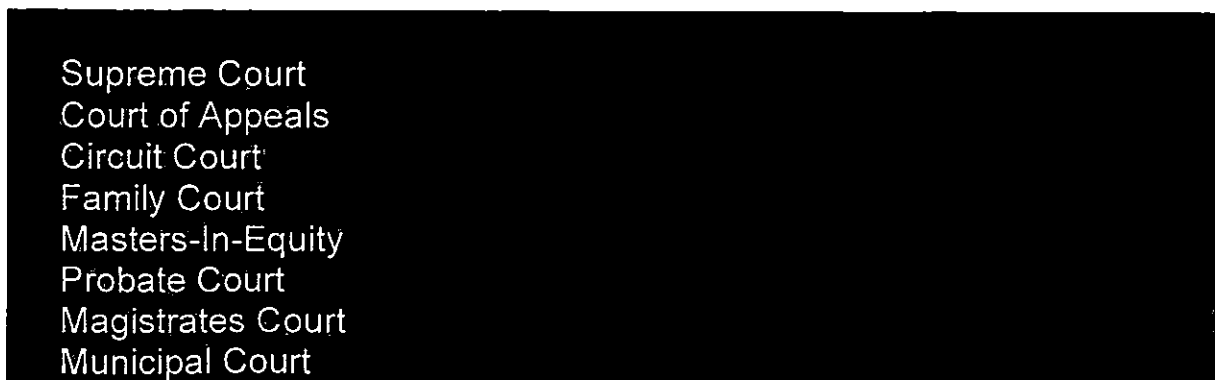
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RULE 607

COURT REPORTER TRANSCRIPTS AND TAPES

(a) Applicability. This rule is applicable to court reporter transcripts and tapes relating to proceedings before the family and circuit court, to include proceedings before masters-in-equity. A court reporter for such a proceeding, regardless whether the court reporter is a Judicial Department employee or a private court reporter, shall comply with the requirements of this rule.

(b) Ordering Transcripts. Transcripts of proceedings which are needed for an appeal or appellate review of a post-conviction relief action before the Supreme Court or Court of Appeals shall be ordered as provided by Rules 207(a) or 243(b), SCACR. In all other cases, the request for the transcript shall be made, in writing, to the court reporter, and a copy of the request shall be served as provided by Rule 262(b), SCACR, on all parties to the proceeding which is to be transcribed and, if the transcript is requested for use in another case, on all parties in that case. A copy of the request shall also be provided to the Office of Court Administration. If the request is made by an attorney, the attorney shall provide copies of all correspondence via electronic means as specified in Rule 207(a)(7) and by Order of the Supreme Court. The names and addresses of all persons who are to be served with a copy shall be included on the request for the transcript. The court reporter must acknowledge receipt of the request by responding to the person making the request within five business days, and provide a copy to the Office of Court

Administration as specified in Rule 207(a)(7) and by Order of the Supreme Court.

(c) Preparation of Transcript. The transcript shall be prepared in the manner prescribed by the Court Reporters Manual published by the Office of Court Administration.

(d) Delivery of Transcripts. A court reporter shall transcribe and deliver the transcript no later than sixty (60) days after the date of the request. Records shall be transcribed by the court reporter in the order in which the requests for transcripts are made; provided, however, that requests to transcribe post-conviction relief proceedings challenging a sentence of death shall be given priority as provided by S.C. Code Ann. § 17-27-160(E).

(e) Extension of Time to Deliver. If a court reporter anticipates continuous engagement in the performance of other official duties which make it impossible to prepare a transcript within the time specified in (d) above, the reporter shall promptly notify the Office of Court Administration by submitting a Court-approved Notice of Request for Extension form. The Office of Court Administration may grant up to three extensions for a total of up to ninety (90) days. Extensions in excess of ninety days (90) days shall not be allowed except by order of the Chief Justice.

(f) Notice of Extension. Upon the granting of any extension of time for delivery of the transcript, the Office of Court Administration shall notify the parties and, if the transcript has been requested for an appeal or other proceeding before the Supreme Court or the Court of Appeals, the Clerk of that Court.

(g) Failure to Receive Transcript. If the requesting party has not received the transcript within the allotted time nor received notification of an extension within ten (10) days after the allotted time, the requesting party shall notify, in writing, the Office of Court Administration, the court reporter and, if the transcript has been requested for an appeal or other proceeding before the Supreme Court or the Court of Appeals, the Clerk of that Court. If the request was made by an attorney, the attorney shall also provide notice via electronic means as provided in Rule 207(a)(7) and by Order of the Supreme Court.

(h) Fees for Transcription and Other Services.

(1) By Judicial Department Court Reporter. A court reporter shall receive the following fees:

(A) A fee of Four Dollars and Twenty-Five Cents (\$4.25) per page for producing an original transcript.

(B) A fee of One Dollar (\$1.00) per page for furnishing a copy of a previously prepared transcript.

(C) A fee of Two Dollars (\$2.00) per page for each person receiving Real-time output when a Real-time Request is signed by the requestor.

~~(D) A fee of One Dollar and Fifty Cents (\$1.50) per page for unedited (rough copy) ASCII Disks when no request for an original transcript has been made.~~

(E) A fee of Thirty-Five Dollars (\$35) for edited ASCII disks. This service is only available to a requestor who has requested an original or a copy of the transcript.

(F) A fee of One Dollar and Fifty Cents (\$1.50) per page for condensed transcripts, which contain no more than four pages of text. This service is only available to a requestor who has requested an original or a copy of the transcript.

(G) A fee of One Dollar (\$1.00) per page for Keyword Indexing. This service is only available to a requestor who has requested an original or a copy of the transcript.

(H) A fee of Forty Dollars (\$40) for e-mailed transcripts. This service is only available to a requestor who has requested an original or a copy of the transcript.

~~(I) A fee of Two Dollars (\$2.00) per page for unedited (rough draft) e-mailed transcripts.~~

(J) The following per page costs apply to requests to produce a transcript on an expedited basis:

(i) A fee of Five Dollars (\$5.00) for original transcripts delivered within seven days of the request and One Dollar (\$1.00) for a copy.

(ii) A fee of Six Dollars (\$6.00) for original transcripts delivered overnight and One Dollar and Twenty-Five Cents (\$1.25) for a copy.

(iii) A fee of Seven Dollars (\$7.00) for original transcripts delivered on a daily basis and One Dollar and Twenty-Five Cents (\$1.25) for a copy.

(2) **By Private Court Reporter.** In the event the court reporter is not an employee of the Judicial Department, the fees to be charged shall be that agreed upon by the court reporter and the parties. The transcript produced by the Judicial Department court reporter is the official transcript.

~~(I) Retention of Tapes. Except as provided below, a court reporter shall retain the primary and backup tapes of a proceeding for a period of at least five (5) years after the date of the proceeding, and the court reporter may reuse or destroy the tapes after the expiration of that period. If the proceeding was a hearing or trial which lasted for more than one day, the time shall be~~

computed from the last day of the hearing or trial. In any proceeding which has been transcribed on or after March 1, 2017, the court reporter shall retain the primary and backup tapes which have been transcribed for a period of at least one (1) year after the original transcript is sent to the requesting party, to allow any party to challenge the accuracy of the transcription. If no challenge is received by the court reporter within the one (1) year period, the tapes may be reused or destroyed.

(j) Failure to Comply. The wilful failure of a court reporter to comply with the provisions of this Rule shall constitute contempt of court enforceable by order of the Supreme Court.

Last amended by Order dated September 26, 2018, effective October 15, 2018.

Joe Clemons
2202 Addidas St.
Eutawville, SC 29048

CERTIFIED MAIL



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