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Nov 04 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY, COURT OF COMMON PLEAS
JOCELYN NEWMAN, CIRCUIT COURT JUDGE

Docket No. 2022-000803

Greg German..... Appellant

v.

Daniel Ellzey, in his individual capacity
as Executive Director of the South Carolina
Dept. of Employment and Workforce..... Respondent

**SUPPLEMENTAL MOTION FOR FILING OVERDUE
REQUEST FOR TRANSCRIPT**

COMES NOW, Appellant Greg German pro se, and files his
Supplemental Motion for Filing Overdue Request for Transcript,
showing to the Honorable Court as follows:

1. This matter had only one short-ish hearing on the Appellant's Change of Venue Motion and Respondent's Motion for Summary Judgment. The hearing was conducted using WebX video technology, and no court reporter was introduced as being present, only the parties and the Judge.

2. Appellant did not realize a transcript of that proceeding was necessary. My apologies.

3. As soon as Appellant became aware of the need to request a transcript, he did so, by contacting the Honorable Jocelyn Newman's clerk. A copy of the emailed letter is attached. See Exhibit A.

4. Appellant first became aware of this issue via an email sent from Respondent's counsel, who is apparently not going to be part of the appeal. That email was attached to an email from the Court of Appeals that hinted at another communication with this: "Attached in this email is correspondence from the Court of Appeals." See Exhibit B.

5. There was no correspondence attached to the email, so Appellant looked up the case on the public access docket and first saw the June 22, 2022 letter about the necessity of a transcript on July 15, 2022.

6. The email from the Court of Appeals was not addressed to Appellant, and Appellant has not received the correspondence via U.S. mail.

7. Appellant would note that he sought assistance from the Trial Court but did not receive any response. A response would finally occur some time later.

8. Having received no communication from the trial court, undersigned Pro Se attorney sent another email to the Trial Judge's clerk on November 1. See Exhibit C.

9. On November 2, the Trial Judge's clerk responded by stating that the Trial Judge is supposed to have "no role in the ordering or production of transcripts." See Exhibit D.

10. Undersigned sent an email requesting information related to any court reporter who could transcribe the hearing. See Exhibit E.

11. Thus far, there has been no response. Therefore, undersigned will begin searching for a court reporter in the area who can assist in transcribing the record.

/s Greg J. German

Greg J. German
306 21st Avenue South #5D
Myrtle Beach, S.C. 29577
843-283-1892
thetortmaster@yahoo.com
Appellant *Pro Se*

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Dept. of Employment and Workforce..... Respondent

PROOF OF SERVICE

THIS IS TO CERTIFY THAT undersigned Appellant pro se mailed a true and correct copy of the above Motion by sending same by email to all counsel of record and to the Clerk of the Court, all on this the 4th day of November, 2022.

/s Greg J. German


Greg J. German, Attorney *Pro Se*
306 21st Avenue South, #5D
Myrtle Beach, South Carolina 29577
(843) 283-1892
thetortmaster@yahoo.com

Other Counsel of Record:

W. Allen Nickles, III
4430 Ivy Hall Drive
Columbia, SC 29206

Steven A. Jordan, Jr.
SC DEW
P.O. Box 8597
Columbia, SC 29202

EXHIBIT A

To  Newman Jocelyn Law Clerk (Mark C. Watkins)  Steven Jordan  Al Nickles

CC / BCC

Request for Transcript

The Honorable Jocelyn Newman
Circuit Judge, Richland County
ATTN: Mr. Mark C. Watkins, Law Clerk

The Court of Appeals is requesting a transcript be made, if that is possible, of our [WebX](#) hearings in *German v. [Elzey](#)*, which hearings were held on March 8, 2022. If you have any questions or comments for me, please do not hesitate to give me a call or send an email. Of course, you may provide my information (or forward this email) to the Court Reporter.

By copy of this email, I'm sending the same to all counsel of record.

Sincerely,

Greg German
306 21st Avenue S. #5D
Myrtle Beach, SC 29577
(843) 283-1892
thetortmaster@yahoo.com

EXHIBIT B

• RE: SC Court of Appeals: Greg German v. Daniel Ellzey (2022-000803)

Yahoo/Inbox ★



• **Al Nickles** <wanickles@nickleslaw.com>

To: Burns, LaToyla, sjordan@dew.sc.gov, kchesley@dew.sc.gov, Greg German
Cc: ctappfilings@sccourts.org

🖨️ Fri, Jul 15 at 9:08 AM ★

Ms. Burns,

Please note that I do not represent the Respondent in the above referenced appeal. I can be removed from any future correspondence. Counsel for both parties are copied with this communication.

Thank you,

W. Allen Nickles, III

From: Burns, LaToyla [mailto:lburns@sccourts.org]
Sent: Wednesday, June 22, 2022 4:39 PM
To: Al Nickles <wanickles@nickleslaw.com>; sjordan@dew.sc.gov
Cc: wanickles3@gmail.com; kchesley@dew.sc.gov
Subject: SC Court of Appeals: Greg German v. Daniel Ellzey (2022-000803)

Dear Counsel,

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

Do not respond to this email. Send all correspondence to ctappfilings@sccourts.org

Respectfully,

LaToyla Burns

Appeals Specialist

SC Court of Appeals

1220 Senate Street

Columbia, SC 29201

EXHIBIT C



● **Greg German** <thetortmaster@yahoo.com>

To: Newman Jocelyn Law Clerk (Mark C. Watkins), Kristi Chesley, Steven Jordan, Court Of Appeals Filings, Al Nickles



Tue, Nov 1 at 7:32 AM ☆

The Honorable Jocelyn Newman
Circuit Judge, Richland County
ATTN: Mr. Mark C. Watkins, Law Clerk

The Court of Appeals is now demanding that a transcript be made of our WebX hearings in *German v. Ellzey*, which hearings were held on March 8, 2022. This is my third email to the Circuit Judge on this issue, and I still have not received a response.

I patiently await your response.

It seems, though, that the Court of Appeals may be running out of patience.

If you have any questions for comments for me, please do not hesitate to give me a call or send an email. Of course, you may provide my information (or forward this email) to the Court Reporter.

By copy of this email, I'm sending the same to all counsel of record. I appreciate your assistance in this matter.

Sincerely,

Greg German
306 21st Avenue S. #5D
Myrtle Beach, SC 29577
(843) 283-1892
thetortmaster@yahoo.com

EXHIBIT D



● **Newman, Jocelyn Law Clerk (Austin Sheheen)** <jnewmanlc@sccourts.org>
To: Greg German, Kristi Chesley, Steven Jordan, Court Of Appeals Filings, Al Nickles

📄 Wed, Nov 2 at 8:42 AM ☆

Good Morning:

Pursuant to rule 607 of the appellate court rules, trial judges have no role in the ordering or production of transcripts.

Thank you,

Austin Sheheen

Law Clerk for Judge Jocelyn Newman

South Carolina Judicial Branch

EXHIBIT E



● **Greg German** <thetortmaster@yahoo.com>
To: Newman, Jocelyn Law Clerk (Austin Sheheen)

☰ Thu, Nov 3 at 5:44 AM ☆

Good Morning,

Do you know of a court reporter who would do a transcript?

Thank you,

Greg German
306 21st Avenue S. #5D
Myrtle Beach, SC 29577
843-283-1892
thetortmaster@yahoo.com