

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPELLATE CASE NO. 2022-001646

MOTION REQUESTING PERMISSION TO ORDER TRANSCRIPTS OUTSIDE OF THE FILING DEADLINES
MOTION FOR WRIT OF CERTIORARI

Sharon Clark

Appellant

V.

Habitat 2000, LLC

Respondent

RECEIVED

Dec 30 2022

SC Court of Appeals

Appellant kindly asks for extended time to request transcripts due to the following reasons:

1. continued chronic intractable migraine and
2. several other chronic medical conditions
 - a. over the last year have rendered Appellant both physically and cognitively ineffective for twenty or more days per month.
3. Respondents continued efforts in the Court of Common Pleas to have Appellant ejected regardless of SC Code 27-40-800 f (1) of the Landlord Tenant Act states such an order is stayed upon Appeal.
 - a. A motion made by Respondent immediately after learning Appellant filed the Appeal,
 - i. Was filed in the Court of Common Pleas November 23, 2022
 - ii. An immediate hearing was scheduled on December 5, 2022
 - iii. This hearing was supposed to have been decided upon on December 15, 2022, but it is still outstanding.
 - b. A motion/other proposed order made by Respondent on December 16, 2022
 - i. Appellant is unsure if this will result in another hearing
4. Respondent Counsel has not provided Appellant with the Proposed Motion/Order filed on November 10, 2022 to the Honorable Judge Clifton Newman.

Appellant is sending this via email and fax on December 30, 2022 and will post into the U.S. Mail a copy to Respondent Counsel.

Appellant has sent two letters with form SCCA800 filled out with the hearing dates and the respective Judges listed within the letter each from February 9, 2022 through November 10, 2022.

1. A November 30, 2022 letter to the Florence County Magistrate Court for four hearings held and
2. A November 27, 2022 letter to the Florence County Court of Common Pleas for two hearings held.
3. Both are attached to this motion.

At this time, Appellant has only heard back from the Court of Common Pleas that I must go through the transcripts@SCCOURT.org as was described in the December 5, 2022 hearing when I asked for the December 5, 2022 transcripts within the hearing itself.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPELLATE CASE NO. 2022-001646

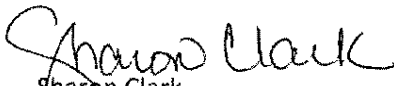
MOTION REQUESTING PERMISSION TO ORDER TRANSCRIPTS OUTSIDE OF THE FILING DEADLINES
MOTION FOR WRIT OF CERTIORARI

Appellant has heard nothing back from the Florence County Magistrate Court. Appellant has been denied recordings by one of the judges in the past, which caused my appeal before the Court of Common Pleas to be incomplete. These hearings in particular are crucial to the overall Appeal before the S.C. Court of Appeals.

Therefore, Appellant kindly asks for the following:

1. An extension of time to order transcripts
2. A writ of certiorari for the Florence County Magistrate Office to provide each and every hearing transcript to Appellant.
3. A writ of certiorari for Charles E. Ipock, Respondent attorney, to provide any and all correspondence made to the Honorable Judge Clifton Newman or any other Honorable Judge of the Court of Common Pleas regarding Sharon Clark V. Habitat 2000, LLC forthwith.

Very truly yours,


Sharon Clark
Appellant

Enclosures (5)

November 27, 2022 Letter and Form (2)
November 30, 2022 Letter and Form (2)
December 30, 2022 Proof of Service (1)

Cc: Charles Epps Ipock, Esquire

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPELLANT CASE NO. 2022-001646

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS
CLIFTON NEWMAN, COMMON PLEAS JUDGE
CASE NO: 2022-CP-21-01276
CASE NO: 2021CV2110104298

RECEIVED

Dec 30 2022

SC Court of Appeals

Sharon Clark

Appellant

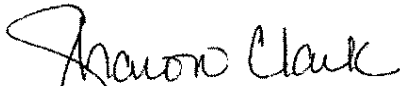
v.

Habitat 2000, LLC

Respondent

PROOF OF SERVICE

I certify that I have served the Motion requesting permission to order the transcript outside of the filing deadlines on Habitat 2000, LLC, depositing a copy of it in the United States Mail, postage pre-paid, on December 30, 2022, addressed to the attorney of record, Charles E. Ipock, Haynsworth, Sinkler & Boyd, 135 S. Dargan St. Ste 300, Florence, SC 29506.


Sharon Clark
838 S Parker Dr, Apt D
Florence, SC 29501

December 30, 2022

RECEIVED**Dec 30 2022****Transcript Request Form****SC Court of Appeals**

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>Sharon Clark</u>		Phone Number <u>864 712 0321</u>	Email Address <u>SKCLARK17@aim.com</u>
Mailing Address <u>838 S. Parker Drive Apt D</u>		City <u>Florence</u>	State <u>SC</u> Zip Code <u>29501</u>
Transcript Information			
Docket Number <u>2022CP2101276</u>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>Sharon Clark v Habatat 2000, LLC</u>		
Date(s) of Proceeding <u>8-18-22</u>	<u>11-10-22</u>	Circuit ☒ Family ☐	County <u>Florence</u>
Presiding Judge <u>Judge</u>	<u>Judge Clifton Newman</u>	Expedited Yes ☐ No ☐	
Court Reporter(s) <u>Donis P O'Hara 8-18-22 and 11-10-22</u>		Opposing Counsel <u>Haynsworth, Sinkler & Boyd</u> <u>Charles I pack</u>	

OR Recording

Requestor's Signature: Sharon ClarkDate: 11-22-2022

(Typed name will serve as signature)

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name		Date Received	Email Address
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount: _____			
Mailing Address for Payment	City	State	Zip Code

Example

FORM 11
LETTER ORDERING TRANSCRIPT FROM COURT REPORTER

September 18, 2000

____ (Court Reporter)
Post Office Box _____
Greenville, South Carolina 29000

RE: Stephen L. Doe, as Personal Representative of the Estate of John B. Doe,
Respondent, v. Jane C. Roe, Appellant, Case No. 2000-CP-00-0000

Dear _____:

On August 15, 2000, the above case was tried before the Honorable George E. Brown, Circuit Court Judge, in Greenville County. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record [except for the following parts:

- (1) Selection and swearing of the jury;
- (2) Opening statements of counsel for appellant and respondent;
- (3) Closing arguments of counsel for appellant and respondent].*

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

Sincerely,
s/ John E. Smith
John E. Smith
Post Office Box 123
Greenville, South Carolina 29000
(864) 000-0000
Attorney for Appellant

cc: Mary P. Jones, Esquire
S.C. Court Administration
Clerk, Court of Appeals [Supreme Court]

* Unless all the parties to the appeal agree, a transcript of the entire proceedings must be ordered. Form 10 contains a sample agreement to order less than the entire transcript.

LETTER ORDERING TRANSCRIPT FROM COURT REPORTER

November 30, 2022

Clerk of Court
FLORENCE COUNTY MAGISTRATE COURT
180 N. IRBY Street
Florence, SC 29501

RE: Sharon Clark (Appellant) v. Habitat 2000, LLC (Respondent)
Court of Common Pleas Case No. 2022CP2101276
Magistrate Court Case No. 2021CV2110104298

Dear Clerk of Court

On February 8, 2022, April 13, 2022, June 20, 2022 and July 13, 2022, the above case was set for hearings and a trial before Judge Frank White and Judge Peter Becker.

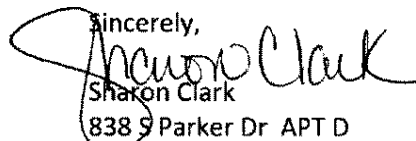
Each of the hearings and trials took place at the Florence County Magistrate Court Room. It is my understanding you are the court reporter for this case.

I request that you provide me with a transcript of the entire proceedings for this case on each of the following dates: February 8, 2022 (White), April 13, 2022 (Becker), June 20, 2022 (White), July 13, 2022 (White).

While I do have recordings from the June 20, 2022 hearing, the recordings appear to be missing some testimony. The recording I received came in 6 parts. I need the entire record.

I agree to pay the charges for this transcript as provided by Rule 607 SCACR.

Sincerely,



Sharon Clark

838 S Parker Dr APT D

Florence, SC 29501

864-712-0321

Skclark17@aim.com

CC: Court of Appeals of South Carolina
SC Court Administration

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information				
Full Name <u>Sharon Clark</u>		Phone Number <u>843 712 0321</u>	Email Address <u>SKClark17@aol.com</u>	
Mailing Address <u>838 S. Parker Dr Apt D</u>		City <u>Florence</u>	State <u>SC</u>	Zip Code <u>29501</u>
Transcript Information				
Docket Number <u>2021 CV 2110104298</u>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>Habitat 2000, LLC v Sharon Clark</u>			
Date(s) of Proceeding <u>2-8-2022, 4-13-2022, 6-20-2022, 7-13-2022</u>	Circuit Family ☐	☐	County <u>Florence</u>	
Presiding Judge <u>Judge White Judge Becker</u>		Expedited Yes ☒ No ☐		
Court Reporter(s) <u>Clerk of Court recordings</u>		Opposing Counsel <u>Haynes Worth Sinkler Boyd Charles I pack</u>		

Requestor's Signature: Sharon Clark
(Typed name will serve as signature)

Date: 11-30-22

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____		Date Received _____	Email Address _____
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____		City _____	State _____ Zip Code _____

FAX COVER SHEET

TO	Catherine Harrison Deputy Clerk
COMPANY	SC Court of Appeals
FAX NUMBER	18037341839
FROM	Sharon Clark
DATE	2022-12-30 22:57:55 GMT
RE	Motion requesting permission to order transcript outside of the filing deadline

COVER MESSAGE

I am enclosing a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 for Appellate Case No 2022-001646 to get it to your offices prior to the 10 day deadline noted in the letter dated December 21, 2022.

RECEIVED**Dec 30 2022****SC Court of Appeals**

LETTER ORDERING TRANSCRIPT FROM COURT REPORTER

November 27, 2022

RECEIVED
Dec 30 2022
SC Court of Appeals

DORIS P. O'HARA
Clerk of Court
Judicial Center
181 N. IRBY Street, Suite 1100
Florence, SC 29501

RE: Sharon Clark (Appellant) v. Habitat 2000, LLC (Respondent)
Court of Common Pleas Case No. 2022CP2101276
Magistrate Court Case No. 2021CV2110104298

Dear Ms. O'Hara;

On August 18, 2022, the above case was set for trial before the Honorable R. Ferrell Cothran, Jr. and subsequently was continued.

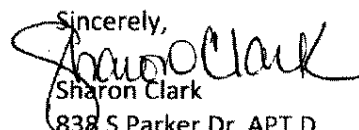
On November 10, 2022, the above case was set for trial before the Honorable Clifton Newman .

Both were set in the Florence County virtual court room. It is my understanding you are the court reporter for this case.

I request that you provide me with a transcript of the entire proceedings for this case on both the dates of August 18, 2022 and November 10, 2022.

I agree to pay the charges for this transcript as provided by Rule 607 SCACR.

Sincerely,



Sharon Clark

838 S Parker Dr APT D

Florence, SC 29501

864-712-0321

Skclark17@aim.com

CC: Clerk of Court, Court of Appeals of South Carolina