

RECEIVED

Jul 10 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Hon. R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2023-001003

Eats & Sweets Bakery & Café, Leon Smith,
Leon Smith DBA “Eats & Sweets Bakery &
Café,” and Albert Kleckley, Jr.,

Respondents,

v.

Nicole Burnham,

Appellant.

MOTION TO ORDER TRANSCRIPT

NOW COMES Appellant Nicole Burnham, by and through the undersigned counsel, requesting permission to order the transcript of the Hearing that took place virtually on April 20, 2023 before the Honorable R. Keith Kelly, Circuit Court Judge, in the Jasper County Court of Common Pleas.

1. Appellant timely filed her appeal of Judge Kelly’s Order Dismissing Complaints with this Court on June 15, 2023.
2. Thereafter, Appellant attempted to order the transcript of the aforementioned Hearing to no avail.
3. Prior to receiving the June 30, 2023 correspondence from the South Carolina Court of Appeals, Appellant contacted the court reporter, Ms. Sharon Hardoon, requesting a copy of the Hearing transcript. (The correspondence is attached hereto as Exhibit “A.”)

4. To date, Appellants have not received a copy of the Hearing transcript.

WHEREFORE, Appellant requests that this Honorable Court permit the Appellant to order the transcript of the April 20, 2023 Hearing.

Respectfully submitted,

RODEN LAW FIRM

By: s/ Troy A. Williams
Troy A. Williams, Esq.
S.C. Bar # 103772
127 King St., Suite 200
Charleston, SC 29401
(843) 790-8999 | F: (912) 303-5851
Email: TWilliams@rodenlaw.com

Attorney for Appellant

This the 8th day of July 2023
Charleston, South Carolina

Exhibit “A”

Troy Williams

From: Graeham Gillin <ggillin@rodenlaw.com> on behalf of Graeham Gillin
Sent: Friday, June 30, 2023 1:23 PM
To: shardoon@sccourts.org
Cc: Troy Williams
Subject: Case No: 2022-CP-27-00524

Dear Sharon Hardoon,

I am contacting you at the direction of the Clerk of Court in order to obtain the payment amount necessary to obtain a full transcript from our client Nicole Burnhams trial on April 20,2023. The presiding judge was R. Keith Kelly, the court was Jasper County Court of Common Pleas, and the case number is 2022-CP-27-00524. Seeing as the time frame whereby access to this transcript is quickly approaching, would it be possible to pay for expedited shipment of said transcript to our address at 127 King St., Charleston, SC 29401. (CC'd is Troy Williams, the attorney representing Nicole in this matter).

Thank you for your time and consideration.

Respectfully,

Graeham Gillin
Legal Intern

RODEN LAW

127 King St
STE 200
Charleston, SC 29401
(843) 790-8999 (office)
(912) 303-5851 (fax)
www.RodenLaw.com



South Carolina Judicial Branch

TRANSCRIPT REQUEST FORM

RECEIVED

Jul 10 2023

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/Transcriptionist and to South Carolina Court Administration at transcripts@sccourts.org. If WebEx or DCRP were used to capture the record, please indicate below and send the form to transcripts@sccourts.org.

Requestor's Information			
Full Name	Maddie Dowling	Law Firm/Agency	Roden Law Firm
		Phone Number	843.790.8999
Email Address	Mailing Address		
mdowling@rodenlaw.com	127 King St., Suite 200, Charleston, SC 29401		
Is the requestor a party in the case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If no, does the requestor represent a party? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party Nicole Burnham			
Transcript Information			
Docket Number	Full Case Caption (i.e. State v. John Doe or John Smith v. Jane Smith)		Circuit <input checked="" type="checkbox"/>
2022-CP-27-00524	Eats & Sweets Bakery & Cafe, Leon Smith, Leon Smith DBA "Eats & Sweets Bakery & Cafe," and Albert Kleckley, Jr. vs Nicole Burnham		Family <input type="checkbox"/>
Date(s) of Proceeding	County	Appeal pending	Death Penalty
April 20, 2023	Jasper	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Presiding Judge	Special Circumstances		
R. Keith Kelly	Is the hearing to be transcribed one of the following:		
Opposing Counsel(s) (name and email address)	<input type="checkbox"/> Termination of parental rights		
Randell C. Stoney, Jr.	<input type="checkbox"/> Adoption		
	<input type="checkbox"/> Any actions involving child custody/visitation.		
Court Reporter(s)	<input checked="" type="checkbox"/> WebEx	Delivery Timeframe	
WebEx	<input type="checkbox"/> DCRP	(check Rule 607 for current page rates)	
Portion of proceeding to be transcribed		<input type="checkbox"/> Quote	
<input checked="" type="checkbox"/> Entire hearing		<input type="checkbox"/> Rough Draft	
<input type="checkbox"/> Voir dire by juror		<input checked="" type="checkbox"/> Overnight delivery	
<input type="checkbox"/> Jury selection		<input type="checkbox"/> Daily delivery	
<input type="checkbox"/> Plaintiff's opening statement		<input type="checkbox"/> Expedited delivery (7 days) Due on/before:	
<input type="checkbox"/> Defendant's opening statement		<input type="checkbox"/> Regular delivery (60 days)	
<input type="checkbox"/> Plaintiff's closing arguments		Delivery Method (additional fees may apply)	
<input type="checkbox"/> Defendant's closing arguments		<input checked="" type="checkbox"/> PDF / Email	
<input type="checkbox"/> Entire direct examination		<input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping)	
<input type="checkbox"/> Entire cross examination		<input type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)	
<input type="checkbox"/> Entire redirect		Responsible Payor	
<input type="checkbox"/> Examination of witness (W) by attorney (A)		<input checked="" type="checkbox"/> Private / Self	
W: _		<input type="checkbox"/> Court Appointed Counsel	
A: _		Appeals Attorney	
<input type="checkbox"/> Ruling of the court		Email	
		<input type="checkbox"/> Other	
Next Hearing Date			

Requestor's Signature: Maddie Dowling Date: 06/30/2023
(Typed name will serve as signature)

NOTE: Requests 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, regardless of indigent status. Please promptly submit your payment in the method of payment requested, in order for the transcript to be produced. In some cases, a deposit may be required before the transcript can be placed in the production queue. You may also request a quote before deciding to order. 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.

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 or transcriptionist.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 30, 2023

Mr. Troy Aaron Williams, Esquire
127 King St
Suite 200
Charleston SC 29401

Re: Nicole Burnham v. Eats & Sweets Bakery & Cafe
Appellate Case No. 2023-001003

Dear Counsel:

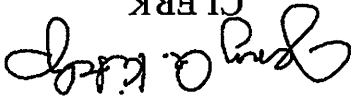
Our records reflect that the time for ordering the transcript has expired. Within ten days of the date of this letter, you must file a copy of the letter showing that you have timely ordered the transcript from the court reporter. If you have not timely ordered the transcript, you must serve and file a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of the SCACR, along with a copy of your letter addressed to the court reporter.

Be sure to copy the Court, the Office of Court Administration and opposing counsel with all correspondence concerning the transcript. The address for Court Administration is as follows:

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201
transcripts@sccourts.org

Please advise the Court of the status of the transcript within ten (10) days of the

cc: Randell Croft Stoney, Jr., Esquire

Very truly yours,

CLERK

date of this letter, or your appeal will be dismissed.

CERTIFICATE OF SERVICE

I certify that I have served the foregoing Motion to Order Transcript on the above Respondents electronically and by depositing a copy of it in the United States Mail, postage prepaid, on July 8, 2023, addressed as follows:

Via E-Mail and First Class Mail To:

Barnwell Whaley Patterson & Helms
Randell C. Stoney, Jr., Esq.
Post Office Drawer H
Charleston, SC 29402
RStoney@barnwell-whaley.com

RECEIVED
Jul 10 2023
SC Court of Appeals

Via E-Mail and First Class Mail To:

South Carolina Office of Court Administration
1220 Senate Street
Suite 200
Columbia, SC 29201
transcripts@sccourts.org

Via E-Mail Only To:

South Carolina Court of Appeals
ctappfilings@sccourts.org

RODEN LAW FIRM

By: s/ Troy A. Williams
Troy A. Williams, Esq.
S.C. Bar # 103772
127 King St., Suite 200
Charleston, SC 29401
(843) 790-8999 | F: (912) 303-5851
Email: TWilliams@rodenlaw.com

Attorney for Appellant

This the 8th day of July 2023
Charleston, South Carolina