

The South Carolina Court of Appeals

Michael J. Wallace, Appellant,

v.

Kent N. Cunningham, Respondent.

Appellate Case No. 2023-000861

RECEIVED

JUL 21 2023

SC Court of Appeals

Trial Court Case No. 2022CP4301585

*Motion to Strike Order to Dismiss (not dated
but filed July 13, 2023)*

*Court Clerk has ordered that the above Case
is dismissed for my failure to order a transcript
of the entire proceeding of the above Case prior to
its hearing date with full payment guaranteed
at the rate of \$4.25 per page (number of pages
unknown). I sensed a scam at work here and
so I denied this service in my letter dated
June 19, 2023.*

Then I received the June 28, 2023 letter from the Clerk demanding I order (and pay) or my appeal will be dismissed in 10 days. I then submitted a letter on July 6, 2023 stating my willingness to order said transcript for the defendant's Counsel as per Rule 207 but they never answered it. So I attempted to get a quote for the transcript from the Court Reporter and my call was rudely shunted onto a spur line on July 10 at 10:AM. So, I gave up! I later learned I had to do it in writing! (specifically!) (why!) For this I lose the whole case and a criminal is set free?! Not if I can help it!

Rule 207 does not stipulate any punishment for not ordering a full transcript ~~for not ordering a full transcript~~ so far in advance, plus, the Clerk is not a judge and should not have this kind of power in a case such as this since she has exhibited an apparent high degree of collusion ^{with,} and prejudice for the respondent's counsel

in her last 3 letters dated May 31, June 13, and 28, 2023. This leads me to suspect they both want me to be denied due process.

This reason to dismiss over such a frivolous matter (I reserve the right to decide when and if I want a full transcript!) is unconscionable. This defense is insufficient, immaterial, and inconsequential compared to the offense of Malpractice and so should be stricken from the case and its status restored.

cc: Alexander Atkins - Atty.

Alan Wilson - Atty. Gen. me Legal

SCDLR - pls send ~~me~~ ^v Complaint Form

The State - contact me for a full transcript of this case.

Sumter Item " "

Community Times " "

Morning News " "

Chronicle Independent " "

July 19, 2023

S/ Michael J. Wallace

35 Edwards Rd.

Bishopville, S. Carolina 29010

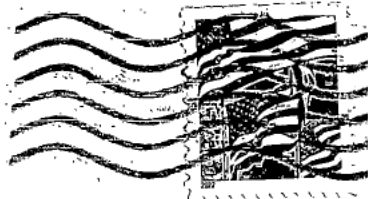
(803) 428-8239

Pro Se Plaintiff/Appellant

Mr. Michael Wallace
35 Edwards Rd
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COLUMBIA SC 290

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*South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211*

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