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Aug 18 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY CIRCUIT COURT

DeAndrea Gist Benjamin, Circuit Court Judge
Case No.: 2019-CP-40-00919

Appellate Case No. 2022-001434

Emad Tadros, as Trustee of the Grace Living Trust dated October 12, 2010, as amended, Appellant,

v.

Holder Properties, Inc., John R. Holder, Individually, ADESSO/Columbia, LLC, ADESSO Horizontal Property Regime, and ADESSO Homeowners' Association, Defendants,

of which

ADESSO/Columbia, LLC, ADESSO Horizontal Property Regime, and ADESSO Homeowners' Association are the Respondents.

Respondents' Motion to Dismiss

Respondents, by and through their undersigned attorneys, move the Court of Appeals for an order of dismissal, pursuant to Rules 207, 208, 240, and 260 of the South Carolina Appellate Court Rules.

Background

Appellant Emad Tadros filed his notice of appeal on October 11, 2022. This Court notified Appellant's counsel on December 7, 2022, that the time to order the transcript had expired, and reminded Appellant of his obligation to copy the Court, the Office of Court Administration, and Respondents' counsel with all correspondence concerning the transcript.

Exhibit 1. In response to the Court of Appeals letter, Appellant’s counsel provided numerous email messages with the circuit court and court reporter trying to track down the transcript, none of which copied opposing counsel. **Exhibit 2.** The Clerk of Court responded on December 19, 2022, directing Appellant to move for relief from the Court or file the initial brief. **Exhibit 3.**

Appellant moved the Court for an extension of time to serve and file the initial brief and designation of matter and, on January 20, 2023, the Court granted the motion and gave Appellant until March 20, 2023, to file and serve the initial brief and designation of matter. **Exhibit 4.** On March 20, 2023, Appellant moved for a second extension to file the initial brief and designation of matter, requesting an additional 60 days and including a communication from the court reporter that did not copy opposing counsel, court administration, or the Court of Appeals. **Exhibit 5.**

On March 29, 2023, the Clerk of Court acknowledged Appellant’s second motion for an extension of time, indicating Appellant had not paid for the transcript. **Exhibit 6.** Again, Appellant was reminded to copy opposing counsel, court administration, and the Court of Appeals on all correspondence with the court reporter. **Exhibit 6.** The time to serve and file the initial brief and designation of matter was held in abeyance pending receipt of the transcript. **Exhibit 6.** Apparently, Appellant submitted proof the following day the transcript was paid for. However, opposing counsel has not been copied on any correspondence with the court reporter, and it is unclear whether the transcript was received.

Argument

Respondents request this Court dismiss the appeal for Appellant’s failure to follow the Appellate Court Rules regarding ordering the transcript and keeping the parties copied on correspondence with the court reporter, under Rule 207. “Whenever it appears that an appellant

or petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court.” Rule 260(a), SCACR. An appeal can be reinstated if the appellant demonstrates good cause for failure to follow the rules. *Id.*

Rule 207 commands an appellant to “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. Rule 207(a)(1), SCACR. The transcript must be delivered within 60 days of the request, but Court Administration is empowered to grant extensions for a total of up to 90 days. Rule 207(a)(2), (3), SCACR. Any further extensions must be by order of the Chief Justice. Rule 207(a)(3), SCACR. If an appellant does not receive the transcript within the allotted time, the appellant must notify the Office of Court Administration, the clerk of the appellate court, and the court reporter in writing. Rule 207(a)(5), SCACR.

The date the appellant receives the transcript is critical for prosecuting the appeal because it triggers Appellant’s 30-day deadline for filing the initial brief and designation of matter. Rule 208(a)(1), SCACR; Rule 209(a), SCACR. If the appellant fails to file and serve the “brief within the time prescribed, the clerk of the appellate court shall sign an order dismissing the appeal.” Rule 208(a)(4). The appeal can be reinstated if the appellant demonstrates good cause under Rule 260. *Id.*

Here, Appellant failed to copy opposing counsel and, at times, court administration and the clerk of the appellate court, on correspondence with the court reporter while ordering the transcript. Pursuant to Rule 260(a), the clerk “shall” issue an order of dismissal.

Respondents understand the clerk’s March 29, 2023 order indicates the timing for filing the initial brief and designation of matter is held in abeyance until the Appellant receives the

transcript. In other words, it appears there is no deadline for the court reporter to provide the transcript. Pursuant to the Appellate Court Rules, the clerk may give the court reporter extensions totaling up to 90 days, but further extensions must be by order of the Chief Justice. Ninety days has come and gone, it is unclear whether Appellant has received the transcript, and the appeal is languishing in the pre-briefing stage. More than 140 days have passed since the clerk of the appellate court issued its order and Appellant paid for the transcript. It is difficult to believe that Appellant has not communicated with the court reporter and has not received the transcript since March 29, 2023. Certainly, Appellant's counsel has not notified the Court it has yet to receive the transcript.

In sum, Appellant has failed to abide by the Appellate Court Rules, and the many reminders by the clerk of the appellate court, to copy Respondents' counsel, court administration, and the clerk of the appellate court on correspondence with the court reporter. This has led to the appeal languishing before briefing can begin, and Respondents' counsel being unaware of the status of the transcript. Under the circumstances, Respondents assert the clerk must dismiss the appeal for failure to follow the Appellate Court Rules. In the alternative, Respondents request the Court order Appellant to demonstrate good cause for the failure to follow the Appellate Court Rules and provide proof or explain whether Appellant has received the transcript. In the event Appellant received the transcript and has not filed the initial brief within 30 days, the appeal should similarly be dismissed under Rules 208 and 260. In the event Appellant has not received the transcript and the Court does not dismiss the appeal, Respondents request the Court order Appellant to prosecute the appeal without the transcript.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

This 18th day of August, 2023.

s/Skyler C. Wilson

DOUGLAS W. MACKELCAN

State Bar No.: 76332

SKYLER C. WILSON

State Bar No.: 102865

40 Calhoun Street, Suite 400

Charleston, SC 29401

dmackelcan@csvg.law

swilson@csvg.law

Ph: (843) 727-0307

***Attorneys for Respondents Adesso Horizontal
Property Regime, and Adesso Homeowners'
Association***



EXHIBIT

1

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF 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

December 07, 2022

Mr. Thomas Jefferson Goodwyn, Jr., Esquire
2309 Devine St.
Columbia SC 29205

Re: Emad Tadros, M.D. v. Holder Properties, Inc.
Appellate Case No. 2022-001434

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

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal will be dismissed.

Very truly yours,

A handwritten signature in blue ink that reads "V. Claire Allen". The signature is written in a cursive style with a small dot at the end of the first name.

CLERK

cc: Charles Grant Blackburn, Esquire
Michael Christopher Masciale, Esquire
Douglas Walker MacKelcan, III, Esquire

T. Jeff Goodwyn, Jr.*†
Charles G. Blackburn**
Jefferson D. Turnipseed**

GOODWYN LAW FIRM, LLC

Tel. (803) 251-4517
Fax (803) 251-4527

2309 Devine Street
Columbia, South Carolina 29205

Email: JGoodwyn@Goodwynlaw.com
CBlackburn@Goodwynlaw.com
JTurnipseed@Goodwynlaw.com
Web: www.GoodwynLaw.com

*Also Licensed in Georgia
† Certified Circuit Court Mediator
** Of Counsel

EXHIBIT
2

December 12, 2022

RECEIVED

DEC 13 2022

SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: *Emad Tadros, M.D. v. Holder Properties, Inc., et. al.*
Case No.: 2022-001434
Our File No.: 3000-0743

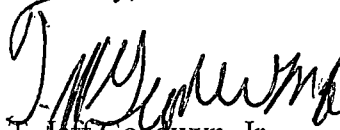
Dear Ms. Kitchings:

I am in receipt of your letter dated December 7, 2022 in regards to the time for ordering the transcript has expired in regards to the above-referenced matter. I have attached copies of the email request between my paralegal, Mary Bush and Karen Kocsis, the court's court reporter as well as between Ms. Bush and Tammie Holmes, the court reporter manager.

As you can see from these emails, they cannot seem to find where the hearing that was held on January 7, 2021 before Judge Benjamin was transcribed. (The last email to Ms. Holmes was verifying the attorneys that were present at the Webex hearing on December 5, 2022). As of December 13th, my paralegal contacted Tammie Holmes requesting an update and was advised that there was no updates. In her email, it seems that there was no recording of the hearing heard on January 7, 2021.

Please advise as to how the Court would like to handle this matter at this point. Thank you in advance for your assistance.

Sincerely,


T. Jeff Goodwyn, Jr.

TJG/msb
Enclosures

cc: Michael C. Masciale, Esquire
Douglas W. McaKelcan, III, Esquire

From: Kocsis, Karen <kkocsis@sccourts.org>
Sent: Thursday, October 13, 2022 12:25 PM
To: mbush goodwynlaw.com
Subject: Re: Emad Tadros, et. al. v. Holder Properties, Inc., et. al. (2019-CP-40-00919)

Mr. Goodwyn: I was the court reporter with Judge Benjamin on January 7, 2021 but your Tadros v. Holder case was not on our docket.

Thank you, Karen A. Kocsis, CCR

Karen A. Kocsis, Certified Court Reporter
Fifth Circuit Family Court
4 Winding Wood Court
Blythewood, SC 29016
973.332.2132

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Tuesday, October 11, 2022 2:38 PM
To: Kocsis, Karen <kkocsis@sccourts.org>
Subject: Emad Tadros, et. al. v. Holder Properties, Inc., et. al. (2019-CP-40-00919)

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good Afternoon, Ms. Kocsis

Please find attached a transcript request form requesting a copy of the transcript in regards to the above referenced case. I am not sure if I have the hearing date correct or not, if not, please advise and I will correct. I do know the case was heard by Judge DeAndrea Benjamin.

Thank you in advance for your assistance.

Mary S. Bush, Paralegal
Goodwyn Law Firm, LLC
2309 Devine Street
Columbia, SC 29205
(803) 251-4517
(803) 251-4527 facsimile
mbush@goodwynlaw.com

PLEASE NOTE THAT OUR ADDRESS HAS CHANGED
2309 DEVINE STREET, COLUMBIA, SC 29205

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received this communication in error or are not sure whether it is privileged, please immediately notify us by return e-mail and destroy any copies, electronic, paper otherwise, which you may have of this communication.

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**From:** Charles Blackburn  
**Sent:** Thursday, October 13, 2022 3:44 PM  
**To:** mbush goodwynlaw.com  
**Cc:** Dr. T; jgoodwyn goodwynlaw.com  
**Subject:** Re: Emad Tadros, et. al. v. Holder Properties, Inc., et. al. (2019-CP-40-00919)

There never was a hearing on our motion to reconsider. Our motion to Reconsider was Form 4 Order denied without a hearing we requested. The last hearing we had in this matter was the hearing on the Defendant's Motion for Summary Judgment heard last October of 2021 which was granted. You attended this hearing by phone.

I timely filed a Motion to Reconsider the Order granting the Defendant's Motion for Summary Judgment and requested a hearing. We waited over a year for the hearing. We never had a hearing on our motion to reconsider because the Judge denied our motion to reconsider without a hearing. We filed a timely appeal of the ruling but the court wants a transcript of the hearing. The transcript doesn't exist because we didn't have a hearing. I'll explain this to the court of appeals and submit a transcript of the last hearing of the motion for summary judgment heard last October. You/we did not miss a hearing. Please let me know if you have any questions and I apologize for any confusion.

Get [Outlook for iOS](#)

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**From:** mbush goodwynlaw.com <mbush@goodwynlaw.com>  
**Sent:** Thursday, October 13, 2022 3:01:40 PM  
**To:** Charles Blackburn <cblackburn@goodwynlaw.com>  
**Subject:** FW: Emad Tadros, et. al. v. Holder Properties, Inc., et. al. (2019-CP-40-00919)

See the email below did we get the wrong date for the hearing???????

---

**From:** Kocsis, Karen <kkocsis@sccourts.org>  
**Sent:** Thursday, October 13, 2022 12:25 PM  
**To:** mbush goodwynlaw.com <mbush@goodwynlaw.com>  
**Subject:** Re: Emad Tadros, et. al. v. Holder Properties, Inc., et. al. (2019-CP-40-00919)

Mr. Goodwyn: I was the court reporter with Judge Benjamin on January 7, 2021 but your Tadros v. Holder case was not on our docket.

Thank you, Karen A. Kocsis, CCR

Karen A. Kocsis, Certified Court Reporter  
Fifth Circuit Family Court  
4 Winding Wood Court  
Blythewood, SC 29016  
973.332.2132

---

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**Sent:** Tuesday, October 11, 2022 2:38 PM  
**To:** Kocsis, Karen <kkocsis@sccourts.org>  
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Thank you in advance for your assistance.

Mary S. Bush, Paralegal  
Goodwyn Law Firm, LLC  
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Columbia, SC 29205  
(803) 251-4517  
(803) 251-4527 facsimile  
[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)

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From: Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <dbenjamin@sccourts.org>
Sent: Monday, October 17, 2022 9:53 AM
To: mbush goodwynlaw.com
Subject: RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

Ms. Bush,

The order dated September 21, 2021 notes the hearing took place on January 7, 2021. Looking at the terms of court on sccourts.org, Karen Kocsis was the assigned court reporter for the week wherein the hearing took place. Please let me know if you have any further questions.

Best,

Harvey Edward Shiver II, J.D. (he/him)
Assistant to The Honorable DeAndrea Gist Benjamin
Resident Judge, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street, Suite 215
Columbia, South Carolina 29201
Mailing: P.O. Box 192, Columbia, SC 29202
Office: 803-576-1746
Fax: 803-576-1777
<https://www.sccourts.org>
dbenjamin@sccourts.org

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Monday, October 17, 2022 8:54 AM
To: Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <dbenjamin@sccourts.org>
Subject: RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

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I am truly sorry for bothering you again, but we need to know who the court reporter was for the hearing wherein the Order was issued on September 21, 2021

Thank you once again for your assistance 😊

From: Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <dbenjamin@sccourts.org>
Sent: Tuesday, October 11, 2022 11:40 AM
To: mbush goodwynlaw.com <mbush@goodwynlaw.com>
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Ms. Bush,

It appears the court reporter was:

Karen A. Kocsis
kkocsis@sccourts.org
4 Winding Wood Court
Blythewood, SC 29016

There was no hearing on the motion to reconsider.

Best,

Harvey Edward Shiver II, J.D. (*he/him*)
Assistant to The Honorable DeAndrea Gist Benjamin
Resident Judge, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street, Suite 215
Columbia, South Carolina 29201
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Office: 803-576-1746
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<https://www.sccourts.org>
dbenjamin@scsccourts.org

From: mbush@goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Tuesday, October 11, 2022 11:01 AM
To: Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <dbenjamin@scsccourts.org>
Subject: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

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Can you please provide me with information regarding whom the court reporter was for the hearing on Defendants' Motion for Summary Judgment-

Not sure when the hearing took place, the Order was issued September 21, 2021

Also was a hearing scheduled on Plaintiff's Motion to Reconsider, if so, we will need to know the court reporter for same

Thank you in advance for your assistance

Mary S. Bush, Paralegal
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**mbush goodwynlaw.com**

---

**From:** Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <[dbenjamin@sccourts.org](mailto:dbenjamin@sccourts.org)>  
**Sent:** Monday, October 17, 2022 10:23 AM  
**To:** mbush goodwynlaw.com  
**Subject:** RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

Ms. Bush,

The records I have show that this case was heard on January 7, 2021. There is no indication in the records I have of who the court reporter was that day. The best information I have is the [sccourts.org](http://sccourts.org) terms of court records. If you need further assistance on determining who the court reporter was, Court Administration may be able to offer more assistance. Tammie Holmes <[tholmes@sccourts.org](mailto:tholmes@sccourts.org)> is the Court Reporting Manager.

Best,

**Harvey Edward Shiver II, J.D. (*he/him*)**  
Assistant to The Honorable DeAndrea Gist Benjamin  
Resident Judge, Fifth Judicial Circuit  
Richland County Judicial Center  
1701 Main Street, Suite 215  
Columbia, South Carolina 29201  
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<https://www.sccourts.org>  
[dbenjamin@sccourts.org](mailto:dbenjamin@sccourts.org)

---

**From:** mbush goodwynlaw.com <[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)>  
**Sent:** Monday, October 17, 2022 10:00 AM  
**To:** Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <[dbenjamin@sccourts.org](mailto:dbenjamin@sccourts.org)>  
**Subject:** RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

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I sent the request to her and she states that she was the court reporter but that this case was not on the docket??

---

**From:** Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <[dbenjamin@sccourts.org](mailto:dbenjamin@sccourts.org)>  
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**Harvey Edward Shiver II, J.D. (he/him)**  
Assistant to The Honorable DeAndrea Gist Benjamin  
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[dbenjamin@sccourts.org](mailto:dbenjamin@sccourts.org)

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[kkocsis@sccourts.org](mailto:kkocsis@sccourts.org)  
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**Harvey Edward Shiver II, J.D.** (*he/him*)  
Assistant to The Honorable DeAndrea Gist Benjamin  
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Richland County Judicial Center  
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Office: 803-576-1746  
Fax: 803-576-1777  
<https://www.sccourts.org>  
[dbenjamin@scsccourts.org](mailto:dbenjamin@scsccourts.org)

---

**From:** mbush@goodwynlaw.com <[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)>  
**Sent:** Tuesday, October 11, 2022 11:01 AM  
**To:** Benjamin, DeAndrea G. Secretary (Harvey E. Shiver II) <[dbenjamin@scsccourts.org](mailto:dbenjamin@scsccourts.org)>  
**Subject:** 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

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mbush goodwynlaw.com

From: Holmes, Tammie <tholmes@sccourts.org>
Sent: Monday, October 17, 2022 11:41 AM
To: mbush goodwynlaw.com
Subject: RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

Good morning Mary.

We will need to know that exact date of the hearing referenced above. Do you know of any other dates this hearing could have been heard?

Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
Columbia, SC 29201
tholmes@sccourts.org
803-734-1825

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Monday, October 17, 2022 10:48 AM
To: Holmes, Tammie <tholmes@sccourts.org>
Subject: RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good Morning, Ms. Holmes

We are attempting to obtain a transcript from the hearing that has held on January 7, 2021 in regards to the above referenced matter.

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What can I do to obtain the transcript in this matter?

Mary S. Bush, Paralegal
Goodwyn Law Firm, LLC
2309 Devine Street
Columbia, SC 29205
(803) 251-4517
(803) 251-4527 facsimile
mbush@goodwynlaw.com

PLEASE NOTE THAT OUR ADDRESS HAS CHANGED

2309 DEVINE STREET, COLUMBIA, SC 29205

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**From:** Holmes, Tammie <tholmes@sccourts.org>  
**Sent:** Monday, October 17, 2022 11:47 AM  
**To:** mbush goodwynlaw.com  
**Cc:** Transcripts  
**Subject:** RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

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**To:** Holmes, Tammie <tholmes@sccourts.org>  
**Subject:** RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

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Cc: Transcripts
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**mbush goodwynlaw.com**

---

**From:** mbush goodwynlaw.com  
**Sent:** Monday, October 17, 2022 12:46 PM  
**To:** Transcripts  
**Subject:** FW: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al  
**Attachments:** Transcript Request Form - 101122.docx

---

**From:** Holmes, Tammie <tholmes@sccourts.org>  
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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
T. Jeff Goodwyn, Jr., Esquire | Phone Number
803-251-4517 | Email Address
jgoodwyn@goodwynlaw.com | |
| Mailing Address
2309 Devine Street | City
Columbia | State
SC | Zip Code
29205 |
| Transcript Information | | | |
| Docket Number
2019-CP-40-00919 | Case Caption (i.e. State v. John Doe or Smith v. Smith)
Tadros, et. al. v. Holder Properties, Inc., et.al. | | |
| Date(s) of Proceeding
January 7, 2021 | Circuit <input checked="" type="checkbox"/>
Family <input type="checkbox"/> | County
Richland | |
| Presiding Judge
DeAndrea Gist Benjamin | Expedited Yes <input type="checkbox"/>
No <input checked="" type="checkbox"/> | | |
| Court Reporter(s)

_____ | Opposing Counsel
Douglas W. Mackelcan, Esquire
Michael C. Masciale, Esquire | | |

Requestor's Signature: T. Jeff Goodwyn, Jr., Esquire _____
(Typed name will serve as signature)

Date: October 11, 2022

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
_____ |

mbush goodwynlaw.com

From: Transcripts <transcripts@sccourts.org>
Sent: Monday, October 17, 2022 1:13 PM
To: mbush goodwynlaw.com; Transcripts
Subject: RE: 2019-CP-40-00919 -Tadros v. Holder Properties, Inc., et al

Your request has been received

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Monday, October 17, 2022 12:46 PM
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**From:** jgoodwyn goodwynlaw.com  
**Sent:** Monday, October 24, 2022 12:12 AM  
**To:** Charles Blackburn; mbush goodwynlaw.com; cchase goodwynlaw.com  
**Subject:** Fwd: Tadros, et. al. v. Holder Properties, Inc., et.al

Did we get the transcript ordered.

T. Jeff Goodwyn, Jr.  
Goodwyn Law Firm, LLC  
2309 Devine Street  
Columbia, SC 29205  
(803) 251-4517  
(803) 251-4527 (fax)

Begin forwarded message:

**From:** "Holmes, Tammie" <tholmes@sccourts.org>  
**Date:** October 17, 2022 at 5:25:57 PM EDT  
**To:** "jgoodwyn goodwynlaw.com" <jgoodwyn@goodwynlaw.com>  
**Cc:** Transcripts <transcripts@sccourts.org>  
**Subject:** Tadros, et. al. v. Holder Properties, Inc., et.al

Good afternoon Mr. Goodwyn.

I have looked at the WebEx hearings for January 7, 2021 and the above referenced hearing was not heard by Judge Benjamin on that date. Is there another date this hearing could have been heard?

Thank you.

Tammie M. Holmes  
Court Reporter Manager  
South Carolina Judicial Branch  
1220 Senate Street, Ste. 200  
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[tholmes@sccourts.org](mailto:tholmes@sccourts.org)  
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From: Holmes, Tammie <tholmes@sccourts.org>
Sent: Monday, October 24, 2022 9:28 AM
To: mbush goodwynlaw.com
Cc: jgoodwyn goodwynlaw.com; Charles Blackburn
Subject: RE: Tadros, et. al. v. Holder Properties, Inc., et. al.

Good morning Mary.

We rely on you, the requestor for the information to find the hearings that you are requesting a transcript. Since you or someone from your office or your client was present at the requested hearing, we think you are the best persons to give us the information on the transcript request.

Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
Columbia, SC 29201
tholmes@sccourts.org
803-734-1825

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Monday, October 24, 2022 8:02 AM
To: Holmes, Tammie <tholmes@sccourts.org>
Cc: jgoodwyn goodwynlaw.com <jgoodwyn@goodwynlaw.com>; Charles Blackburn <cblackburn@goodwynlaw.com>
Subject: Tadros, et. al. v. Holder Properties, Inc., et. al.

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I know of no other date as the January 7th date is what the judge's order had on it and Mr. Blackburn which was the attorney for Plaintiffs stated it was Webex

Is there no other way to find the transcript???

Mary S. Bush, Paralegal
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**mbush goodwynlaw.com**

---

**From:** Holmes, Tammie <tholmes@sccourts.org>  
**Sent:** Monday, October 24, 2022 10:15 AM  
**To:** mbush goodwynlaw.com  
**Cc:** jgoodwyn goodwynlaw.com; Charles Blackburn  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc., et. al.

Thank you Mary. I will look at the recordings again to make sure that I did not miss anything.

Thank you.

Tammie M. Holmes  
Court Reporter Manager  
South Carolina Judicial Branch  
1220 Senate Street, Ste. 200  
Columbia, SC 29201  
[tholmes@sccourts.org](mailto:tholmes@sccourts.org)  
803-734-1825

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I know of no other date as the January 7<sup>th</sup> date is what the judge's order had on it and Mr. Blackburn which was the attorney for Plaintiffs stated it was Webex

Is there no other way to find the transcript???

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mbush goodwynlaw.com

From: jgoodwyn goodwynlaw.com
Sent: Sunday, November 6, 2022 10:25 PM
To: mbush goodwynlaw.com
Subject: FW: Tadros, et. al. v. Holder Properties, Inc., et. al.

What's the word on this transcript?

T. Jeff Goodwyn, Jr.
Goodwyn Law Firm, LLC
2309 Devine Street
Columbia, SC 29205
(803) 251-4517
(803) 251-4527 (fax)
www.Goodwynlaw.com

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Cc: jgoodwyn goodwynlaw.com <jgoodwyn@goodwynlaw.com>; Charles Blackburn <cblackburn@goodwynlaw.com>
Subject: RE: Tadros, et. al. v. Holder Properties, Inc., et. al.

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**mbush goodwynlaw.com**

---

**From:** Holmes, Tammie <tholmes@sccourts.org>  
**Sent:** Monday, November 28, 2022 12:29 PM  
**To:** mbush goodwynlaw.com  
**Cc:** Transcripts  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc., et. al.

Good morning.

I have looked at all the recordings for the week of January 4, 2021 and I don't see where any of the attorneys you listed on the transcript request form were in court with Judge Benjamin. If you can think of another date this hearing may have been heard, please let me know. Could this matter have been something that Judge Benjamin heard off of the record?

Thank you.

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**From:** mbush goodwynlaw.com <mbush@goodwynlaw.com>  
**Sent:** Monday, November 28, 2022 8:52 AM  
**To:** Holmes, Tammie <tholmes@sccourts.org>  
**Subject:** FW: Tadros, et. al. v. Holder Properties, Inc., et. al.

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**From:** mbush goodwynlaw.com  
**Sent:** Friday, December 2, 2022 9:32 AM  
**To:** Holmes, Tammie  
**Subject:** Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)  
**Attachments:** PImageDisplay (5).pdf

I have attached a copy of the Form 4 Order issued by Judge Benjamin on January 8, 2021 for the summary judgment hearing that was held on January 7, 2021

Can you please review and advise as to the possible transcript for this hearing, once again.

Thank you.

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**From:** mbush goodwynlaw.com  
**Sent:** Friday, December 2, 2022 3:10 PM  
**To:** 'Holmes, Tammie'  
**Cc:** Raines, Tiffany  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

I really don't know this was a case handled by one of our associate attorneys prior to him joining our firm and the attachment (Form 4 Order) that I sent to you was from the Defendant's counsel

---

**From:** Holmes, Tammie <tholmes@sccourts.org>  
**Sent:** Friday, December 2, 2022 1:57 PM  
**To:** mbush goodwynlaw.com <mbush@goodwynlaw.com>  
**Cc:** Raines, Tiffany <TRaines@sccourts.org>  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

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Thank you.

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Court Reporter Manager  
South Carolina Judicial Branch  
1220 Senate Street, Ste. 200  
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From: Holmes, Tammie <tholmes@sccourts.org>
Sent: Monday, December 5, 2022 11:16 AM
To: mbush goodwynlaw.com
Cc: Raines, Tiffany
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

Were the following attorneys who was in court for that hearing?

T. Jeff Goodwyn, Jr.,
Douglas W. Mackelcan, Esquire
Michael C. Masciale, Esquire

Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
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**mbush goodwynlaw.com**

---

**From:** Holmes, Tammie <tholmes@sccourts.org>  
**Sent:** Monday, December 5, 2022 1:27 PM  
**To:** mbush goodwynlaw.com  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

Thank you.

Tammie M. Holmes  
Court Reporter Manager  
South Carolina Judicial Branch  
1220 Senate Street, Ste. 200  
Columbia, SC 29201  
[tholmes@sccourts.org](mailto:tholmes@sccourts.org)  
803-734-1825

---

**From:** mbush goodwynlaw.com <mbush@goodwynlaw.com>  
**Sent:** Monday, December 5, 2022 11:22 AM  
**To:** Holmes, Tammie <tholmes@sccourts.org>  
**Cc:** Raines, Tiffany <TRaines@sccourts.org>  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

T. Jeff Goodwyn, Jr. was not

Charles G. Blackburn was with the other two attorneys

---

**From:** Holmes, Tammie <tholmes@sccourts.org>  
**Sent:** Monday, December 5, 2022 11:16 AM  
**To:** mbush goodwynlaw.com <mbush@goodwynlaw.com>  
**Cc:** Raines, Tiffany <TRaines@sccourts.org>  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

Were the following attorneys who was in court for that hearing?

T. Jeff Goodwyn, Jr.,  
Douglas W. Mackelcan, Esquire  
Michael C. Masciale, Esquire

Thank you.

Tammie M. Holmes  
Court Reporter Manager  
South Carolina Judicial Branch  
1220 Senate Street, Ste. 200  
Columbia, SC 29201  
[tholmes@sccourts.org](mailto:tholmes@sccourts.org)

803-734-1825

---

**From:** mbush goodwynlaw.com <[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)>  
**Sent:** Friday, December 2, 2022 3:10 PM  
**To:** Holmes, Tammie <[tholmes@sccourts.org](mailto:tholmes@sccourts.org)>  
**Cc:** Raines, Tiffany <[TRaines@sccourts.org](mailto:TRaines@sccourts.org)>  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

I really don't know this was a case handled by one of our associate attorneys prior to him joining our firm and the attachment (Form 4 Order) that I sent to you was from the Defendant's counsel

---

**From:** Holmes, Tammie <[tholmes@sccourts.org](mailto:tholmes@sccourts.org)>  
**Sent:** Friday, December 2, 2022 1:57 PM  
**To:** mbush goodwynlaw.com <[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)>  
**Cc:** Raines, Tiffany <[TRaines@sccourts.org](mailto:TRaines@sccourts.org)>  
**Subject:** RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

Thank you Mary for sending the Order to me. I have looked again for this hearing and there was also a court reporter who captured the hearing for the week of January 4, 2021 and neither one of us has this matter on record. I am wondering if it was heard after the court reporter was released and Judge Benjamin forgot to record the WebEx.

Thank you.

Tammie M. Holmes  
Court Reporter Manager  
South Carolina Judicial Branch  
1220 Senate Street, Ste. 200  
Columbia, SC 29201  
[tholmes@sccourts.org](mailto:tholmes@sccourts.org)  
803-734-1825

---

**From:** mbush goodwynlaw.com <[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)>  
**Sent:** Friday, December 2, 2022 9:32 AM  
**To:** Holmes, Tammie <[tholmes@sccourts.org](mailto:tholmes@sccourts.org)>  
**Subject:** Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

I have attached a copy of the Form 4 Order issued by Judge Benjamin on January 8, 2021 for the summary judgment hearing that was held on January 7, 2021

Can you please review and advise as to the possible transcript for this hearing, once again.

Thank you.

Mary S. Bush, Paralegal  
Goodwyn Law Firm, LLC  
2309 Devine Street  
Columbia, SC 29205  
(803) 251-4517  
(803) 251-4527 facsimile  
[mbush@goodwynlaw.com](mailto:mbush@goodwynlaw.com)

**PLEASE NOTE THAT OUR ADDRESS HAS CHANGED**

**\*2309 DEVINE STREET, COLUMBIA, SC 29205\***

-----  
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-----  
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From: Holmes, Tammie <tholmes@sccourts.org>
Sent: Tuesday, December 13, 2022 12:58 PM
To: mbush goodwynlaw.com
Cc: Raines, Tiffany
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

Good afternoon.

No, there has not been any updates. Ms. Karen Kocsis was the court reporter who worked with Judge Benjamin the date of January 1, 2021. Ms. Kocsis state the hearing you are asking about was not on any of her dockets for that date. I have also reviewed the WebEx recordings for that date and this matter is not recorded on the date stated on the request.

Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
Columbia, SC 29201
tholmes@sccourts.org
803-734-1825

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Tuesday, December 13, 2022 12:47 PM
To: Holmes, Tammie <tholmes@sccourts.org>
Cc: Raines, Tiffany <TRaines@sccourts.org>
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Any additional updates as to locating the transcript in the above matter?

From: mbush goodwynlaw.com
Sent: Monday, December 5, 2022 11:22 AM
To: Holmes, Tammie <tholmes@sccourts.org>
Cc: Raines, Tiffany <TRaines@sccourts.org>
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

T. Jeff Goodwyn, Jr. was not

Charles G. Blackburn was with the other two attorneys

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To: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Cc: Raines, Tiffany <TRaines@sccourts.org>
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

Were the following attorneys who was in court for that hearing?

T. Jeff Goodwyn, Jr.,
Douglas W. Mackelcan, Esquire
Michael C. Masciale, Esquire

Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
Columbia, SC 29201
tholmes@sccourts.org
803-734-1825

From: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Sent: Friday, December 2, 2022 3:10 PM
To: Holmes, Tammie <tholmes@sccourts.org>
Cc: Raines, Tiffany <TRaines@sccourts.org>
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

I really don't know this was a case handled by one of our associate attorneys prior to him joining our firm and the attachment (Form 4 Order) that I sent to you was from the Defendant's counsel

From: Holmes, Tammie <tholmes@sccourts.org>
Sent: Friday, December 2, 2022 1:57 PM
To: mbush goodwynlaw.com <mbush@goodwynlaw.com>
Cc: Raines, Tiffany <TRaines@sccourts.org>
Subject: RE: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

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Thank you.

Tammie M. Holmes
Court Reporter Manager
South Carolina Judicial Branch
1220 Senate Street, Ste. 200
Columbia, SC 29201
tholmes@sccourts.org
803-734-1825

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Sent: Friday, December 2, 2022 9:32 AM
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Subject: Tadros, et. al. v. Holder Properties, Inc. et.al. (2019CP4000919)

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I have attached a copy of the Form 4 Order issued by Judge Benjamin on January 8, 2021 for the summary judgment hearing that was held on January 7, 2021

Can you please review and advise as to the possible transcript for this hearing, once again.

Thank you.

Mary S. Bush, Paralegal
Goodwyn Law Firm, LLC
2309 Devine Street
Columbia, SC 29205
(803) 251-4517
(803) 251-4527 facsimile
mbush@goodwynlaw.com

PLEASE NOTE THAT OUR ADDRESS HAS CHANGED

2309 DEVINE STREET, COLUMBIA, SC 29205

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Goodwyn Law Firm, LLC  
2309 Devine Street  
Columbia, S.C. 29205

**RECEIVED**  
DEC 13 2022  
SC Court of Appeals

VIA HAND DELIVERY  
The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201



EXHIBIT

3

## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF 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](http://www.sccourts.org)

December 19, 2022

Mr. Charles Grant Blackburn, Esquire  
2309 Devine Street  
Columbia SC 29205

Re: Emad Tadros, M.D. v. Holder Properties, Inc.  
Appellate Case No. 2022-001434

Dear Counsel:

The Court received your letter dated December 12, 2022. If you would like to ask the Court for relief, you must file a motion pursuant to Rule 240, SCACR. Otherwise, you must serve and file your appellant's initial brief and designation of matter within 30 days of the date of this letter.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Hannissai, deputy".

CLERK

cc: Thomas Jefferson Goodwyn, Jr., Esquire  
Michael Christopher Masciale, Esquire  
Douglas Walker MacKelcan, III, Esquire

# The South Carolina Court of Appeals

Emad Tadros, M.D. as Trustee of the Grace Living Trust  
dated October 12, 2010, as amended, Appellant

v.

Holder Properties, Inc., John R. Holder, Individually,  
ADESSO/Columbia, LLC, ADESSO Horizontal Property  
Regime, and ADESSO Homeowners' Association,  
Defendants,

of which

ADESSO/Columbia, LLC, ADESSO Horizontal Property  
Regime, and ADESSO Homeowners' Association are the  
Respondents.

Appellate Case No. 2022-001434

The Honorable DeAndrea G. Benjamin  
Richland County  
Trial Court Case No. 2019CP4000919

---

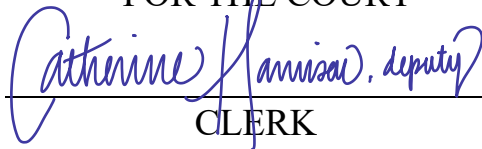
ORDER

---

The time for serving and filing the appellant's initial brief and designation of matter  
is hereby extended until March 20, 2023.

FOR THE COURT

BY

  
CLERK

**FILED**  
**Jan 20 2023**

Columbia, South Carolina

cc:

Thomas Jefferson Goodwyn, Jr., Esquire

Charles Grant Blackburn, Esquire

Michael Christopher Masciale, Esquire

Douglas Walker MacKelcan, III, Esquire

98451  
**RECEIVED**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

MAR 20 2023

APPEAL FROM RICHLAND COUNTY  
CIRCUIT COURT

SC Court of Appeals

DeAndrea G. Benjamin, Circuit Court Judge

Appellate Case No. 2022-001434

Emad Tadros, M.D.,.....Appellant,

v.

Holder Properties, Inc.,.....Respondent.

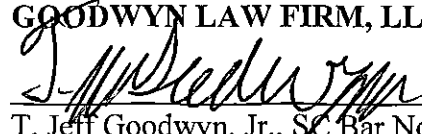
**MOTION FOR EXTENSION TO FILE INITIAL BRIEF AND  
DESIGNATION OF MATTER**

Appellant, by and through his undersigned attorney hereby moves this Honorable Court for an additional 60-day extension in which to file his Initial Brief and Designation of Matter to be included in the Record on Appeal. Appellant filed its Notice of Appeal on October 11, 2022. Appellant has been attempting to obtain the hearing transcript from the Court Reporter since the filing of the Notice of Appeal and has not been successful.

On January 6, 2023, Ms. Kocsis sent an email stating the transcript would be produced in a few weeks. (See Exhibit "A"). Appellant's counsel has not received the transcript as of the date of this filing.

Appellant hereby request an additional 60-day extension to file their initial brief due to the Court Reporter needing a additional time to produce the transcript. If the extension is granted, the Initial Brief of Appellant will be due on May 19, 2023.

GOODWYN LAW FIRM, LLC



---

T. Jeff Goodwyn, Jr., SC Bar No. 73789

Charles G. Blackburn, SC Bar No. 69458

2309 Devine Street

Columbia, SC 29205

(803) 251-4517

[jgoodwyn@goodwynlaw.com](mailto:jgoodwyn@goodwynlaw.com)

[cblackburn@goodwynlaw.com](mailto:cblackburn@goodwynlaw.com)

*Attorneys for Appellant*

Columbia, South Carolina  
March 20, 2023

**From:** Kocsis, Karen <kkocsis@sccourts.org>  
**Sent:** Friday, January 6, 2023 4:17 PM  
**To:** Charles Blackburn  
**Subject:** Tadros v. Holder transcript 1/7/21

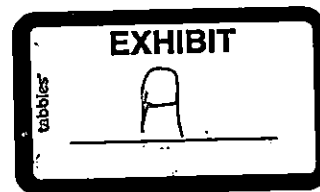
Mr. Blackburn: The estimated cost of the transcript is 80 pages (\$340) to 100 pages (\$425) at the rate of \$4.25 per page. Due to Webex hearings being new to the courts in January of 2021, we experienced technical difficulties. That being said, I will do my best to prepare a transcript hopefully with no or few "inaudibles." I usually require a deposit to secure production of the transcript in the amount listed above \$340. I guesstimated it at 80 - 100 pages due to audio cutting in and out. Please take note, I am still at work in the courthouse as I am a full-time court reporter and will do the best I can in preparing the transcript but it will be a few weeks.

Please advise as soon as possible if you still wish to secure said transcript and forward a deposit in \$340 and I will notify you if more is need when it is completed.

Thank you, Karen Kocsis, CCR

Karen A. Kocsis, Certified Court Reporter  
Fifth Circuit Family Court  
4 Winding Wood Court  
Blythewood, SC 29016  
973.332.2132

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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM RICHLAND COUNTY
CIRCUIT COURT

MAR 20 2023

SC Court of Appeals

DeAndrea Gist Benjamin, Circuit Court Judge

Case No. 2019-CP-40-00919

Emad Tadros, M.D.,.....Appellant,

v.

Holder Properties, Inc.,.....Respondents.

PROOF OF SERVICE

I certify that I have served a copy of **Appellant’s Motion for Extension to File Initial Brief and Designation of Matter** on Douglas W. Mackelcan, Esquire, and Skylar C. Wilson, Esquire, counselors for the Respondents at the address below via email and by depositing a copy of same in the United States Mail, postage prepaid, on March 20, 2023.

Douglas W. Mackelcan, Esquire
Skylar C. Wilson, Esquire
Copeland, Stair, Valz & Lovell, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29401
dmackelcan@csvl.law
swilson@csvl.law

(Signature on next page)

GOODWYN LAW FIRM, LLC



T. Jeff Goodwyn, Jr., SC Bar No. 73789

Charles G. Blackburn, SC Bar No. 69458

2309 Devine Street

Columbia, SC 29205

(803) 251-4517

jgoodwyn@goodwynlaw.com

cblackburn@goodwynlaw.com

Attorneys for Appellant

Columbia, South Carolina
March 20, 2023

T. Jeff Goodwyn, Jr.*†
Charles G. Blackburn**
Jefferson D. Turnipseed**

*Also Licensed in Georgia
† Certified Circuit Court Mediator
** Of Counsel

GOODWYN LAW FIRM, LLC

2309 Devine Street
Columbia, South Carolina 29205

Tel. (803) 251-4517
Fax (803) 251-4527

Email: JGoodwyn@Goodwynlaw.com
CBlackburn@Goodwynlaw.com
JTurnipseed@Goodwynlaw.com
Web: www.GoodwynLaw.com

March 20, 2023

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED

MAR 20 2023

SC Court of Appeals

RE: *Emad Tadros, M.D. v. Holder Properties, Inc.*
Appellate Case No.: 2022-001434
Our File No.: 4000-0007

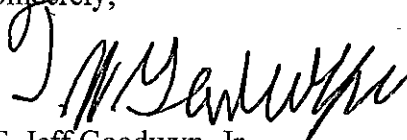
Dear Ms. Kitchings:

Enclosed for filing, please find the original and one copy of Appellant's Motion for Extension to File Initial Brief and Designation of Matter and Proof of Service in regards to the above referenced matter. Please file the original and return a filed copy of same to me in the self-addressed stamped envelope provided. Also, enclosed is a check in the amount of \$50.00 representing the filing fees.

As evidenced in the Proof of Service, I have served all interested parties, with a copy of this Motion.

Thank you for your attention to this matter and should you have any questions, please do not hesitate to contact me.

Sincerely,



T. Jeff Goodwyn, Jr.

TJG/msb
Enclosures

cc: Douglas W. Mackelcan, Esquire
Skyler C. Wilson, Esquire
Emad Tadros



EXHIBIT

6

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF 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

March 29, 2023

Mr. Thomas Jefferson Goodwyn, Jr., Esquire
2309 Devine St.
Columbia SC 29205

Mr. Charles Grant Blackburn, Esquire
2309 Devine Street
Columbia SC 29205

Re: Emad Tadros, M.D. v. Holder Properties, Inc.
Appellate Case No. 2022-001434

Dear Counsel:

The Court received your second motion for an extension of time to serve and file the appellant's initial brief and designation of matter. We contacted Court Administration and learned that you have not made satisfactory arrangements for payment of the transcript. You must provide proof of payment to the court reporter, as required by Rule 207, SCACR, within ten days of the date of this letter or your appeal will be dismissed. You must copy all parties, the Office of Court Administration, and this Court with all correspondence with the court reporter. The time for serving the appellant's initial brief and designation of matter shall be held in abeyance pending receipt of the transcript.

Very truly yours,

A handwritten signature in blue ink that reads "Jenny A. Kitchings".

CLERK

cc: Douglas Walker MacKelcan, III, Esquire
Skyler Cole Wilson, Esquire

RECEIVED

Aug 18 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY CIRCUIT COURT

DeAndrea Gist Benjamin, Circuit Court Judge
Case No.: 2019-CP-40-00919

Appellate Case No. 2022-001434

Emad Tadros, as Trustee of the Grace Living Trust dated October 12, 2010,
as amended, Appellant,

v.

Holder Properties, Inc., John R. Holder, Individually, ADESSO/Columbia,
LLC, ADESSO Horizontal Property Regime, and ADESSO Homeowners'
Association, Defendants,

of which

ADESSO/Columbia, LLC, ADESSO Horizontal Property Regime, and
ADESSO Homeowners' Association are the Respondents.

PROOF OF SERVICE

I certify that I have served *Respondents' Motion to Dismiss* upon the parties below via electronic mail, on August 18, 2023, addressed as follows (see attached **Exhibit A**):

T. Jeff Goodwyn, Jr., Esq.
Charles G. Blackburn, Esq.
Goodwyn Law Firm, LLC
2309 Devine Street
Columbia, SC 29205
jgoodwyn@goodwynlaw.com
cblackburn@goodwynlaw.com
Counsel for Appellant

This 18th day of August, 2023.

COPELAND, STAIR, VALZ & LOVELL, LLP

40 Calhoun Street, Suite 400
Charleston, SC 29401
dmackelcan@csvg.law
swilson@csvg.law
Ph: (843) 727-0307

By: *s/Skyler C. Wilson*
DOUGLAS W. MACKELCAN
State Bar No.: 76332
SKYLER C. WILSON
State Bar No.: 102865
***Attorneys for Respondents Adesso Horizontal
Property Regime, and Adesso Homeowners'
Association***

EXHIBIT

A

From: [Rewt, Teri J.](#) on behalf of [Wilson, Skyler C.](#)
To: jgoodwyn@goodwynlaw.com; "cblackburn@goodwynlaw.com"
Cc: [Mackelcan, Douglas W.](#); [Wilson, Skyler C.](#)
Subject: Tadros v Adesso HPR, Adesso HOA; Appellate Case No. 2022-001434; CSVL File No.: 59242
Date: Friday, August 18, 2023 1:52:00 PM
Attachments: [image001.png](#)
[Respondents' Motion to Dismiss Appeal.pdf](#)

Good afternoon Jeff and Charles,

On behalf of Attorneys Doug Mackelcan and Skyler Wilson, please see attached *Respondents' Motion to Dismiss Appeal*, together with Exhibits 1 through 6, which we intend to file with the Court today.

Thank you and best regards,



Teri Rewt
Legal Assistant II
d: 843.329-8346 | f: 843.727.2995
trewt@csvl.law | www.csvl.law
40 Calhoun Street, Suite 400, Charleston, SC 29401

LAW OFFICES

COPELAND, STAIR, VALZ & LOVELL, LLP

DOUGLAS W. MACKELCAN
Partner
SKYLER C. WILSON

DIRECT DIAL NUMBERS
(843) 266-8228
(843) 266-8221

E-MAIL ADDRESSES
dmackelcan@csvl.law
swilson@csvl.law

40 Calhoun Street, Suite 400
CHARLESTON, SC 29401

TELEPHONE (843) 727-0307
FAX (843) 727-2995

www.csvl.law

ATLANTA OFFICE

191 Peachtree Street, N.E.
Suite 3600
Atlanta, Georgia 30303-1740
(404) 522-8220

REPLY TO SC OFFICE

RECEIVED

Aug 18 2023

SC Court of Appeals

August 18, 2023

VIA EMAIL AND REGULAR MAIL

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Emad Tadros, as Trustee of the Grace Living Trust dated October 12, 2010, as amended, Appellant,
v. ADESSO/Columbia, LLC, ADESSO Horizontal Property Regime, and
ADESSO Homeowners' Association, Respondents
Appellate Case No. 2022-001434

Dear Ms. Kitchings:

Enclosed for filing, please find Respondents' Motion to Dismiss the Appeal in this case, together Exhibits 1 through 6, Proof of Service and the \$50.00 filing fee. By copy of this letter, we are providing the Motion and Exhibits to Appellant's counsel. If anything further is required from these Respondents at this time, please advise.

Sincerely,

s/Skyler C. Wilson

DOUGLAS W. MACKELCAN
SKYLER C. WILSON

SCW:tjr
Enclosures
cc: via email w/encls

T. Jeff Goodwyn, Jr., Esq.
Charles G. Blackburn, Esq.
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