

IN THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM ABBEVILLE COUNTY

Court of Common Pleas

Eugene C. Griffith, Jr. Circuit Court Judge

Case No.: 2013-001064

Patrick Bowie

Respondent

v.

Woodbine Estates

Appellant

**REPLY TO THE RESPONDENT'S RETURN OPPOSING APPELLANT'S REQUEST TO
RESTORE APPEAL**

The Appellant would respectfully Reply to the Respondent's Return with emails between the Court Reporter and my office on behalf of the Appellant as follows:

1. Court Reporter Joy Holston was contacted on May 2, 2013 which was 2 days after filing the notice of Intent to Appeal;
2. Joy Holston informed this office that he was not the Court Reporter on April 22, 2013 as the Judgment indicated. Joy indicated that Caroline Hiskell was Judge Griffith's Court Reporter on that date.
3. We checked on May 7, 2013 on this fact and noted that the hearing was on April 18, 2013 but that the paper work indicated April 22, 2013;

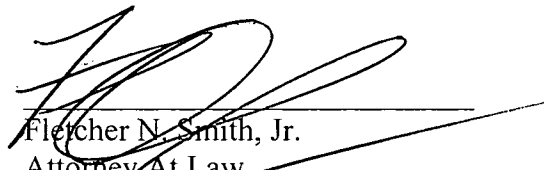
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SC Court of Appeals

4. On May 7, 2013, at 9:54 a.m. Holston said she would check on this when he got home.
5. We indicate a wrong date and on May 7, 2013, Holston stated that cost for transcript would run from 487.50 to 568.75.
6. May 27, 2013, Holston emails back and said she got the check for the amount of the Transcript.

The Appellant respectfully request that this case be restored as an appeal on the basis that satisfactory arrangements had been made with the Court Reporter on a timely basis and that the Court Reporter has been paid for the services to be rendered in providing the transcript of record as demonstrated in the attached emails.



Fletcher N. Smith, Jr.
Attorney At Law
112 Wakefield Street
Greenville, S.C. 29601
864-232-6541

July 3, 2013

Nicole Dei

From: Holston, Joy E. <JHolston@sccourts.org>
Sent: Thursday, May 02, 2013 6:43 AM
To: Nicole Dei
Subject: RE: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.
Attachments: image001.gif

Nicole,

I was not the court reporter with Judge Griffith on 4/22/2013. The Court Reporter working with Judge Griffith on that day was Caroline Hiskell.

Thank you, Joy

From: Nicole Dei [nicole@piedmontlegal.com]
Sent: Wednesday, May 01, 2013 2:45 PM
To: Holston, Joy E.
Subject: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.

Dear Ms. Holston:

How much would this transcript cost, and what is the timeframe to prepare it for us?

Thanks.

Sincerely,
Nicole Dei
Paralegal for Fletcher N. Smith, Jr., Esq.
Law Office of Fletcher N. Smith, Jr., LLC PO Box 10496, F.S.
Greenville, SC 29603
864-232-6541 (Tel)
864-232-6756 (Fax)
nicole@piedmontlegal.com

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nicole@piedmontlegal.com

Nicole Dei

From: Holston, Joy E. <JHolston@sccourts.org>
Sent: Tuesday, May 07, 2013 9:54 AM
To: Nicole Dei
Subject: RE: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.

Nicole,
I will check on this this evening when I get home and be back in touch with you.
Thanks

Joy Holston

From: Nicole Dei [nicole@piedmontlegal.com]
Sent: Tuesday, May 07, 2013 8:51 AM
To: Holston, Joy E.
Subject: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.

Dear Ms. Holston:

I have attached a copy of the paperwork. I believe I gave you the wrong date. The Hearing was 4/18, and the paperwork was clocked on 4/22. How much would this transcript cost, and what is the timeframe to prepare it for us?

Thanks.

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Nicole Dei

From: Holston, Joy E. <JHolston@sccourts.org>
Sent: Tuesday, May 07, 2013 11:22 PM
To: Nicole Dei
Subject: RE: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.

Nicole,
The transcript you are asking about will be approximately 150 to 175 pages. Cost of transcript is \$3.25 per page which total will be approximately \$487.50 to \$568.75. The timeframe will be approximately six to eight weeks.

Thank you,
Joy Holston

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nicole@piedmontlegal.com

Nicole Dei

From: Holston, Joy E. <JHolston@sccourts.org>
Sent: Monday, May 27, 2013 10:04 PM
To: Nicole Dei
Subject: RE: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.

I received your check in the mail. Thank you and I will be in touch when the transcript is ready.

Joy Holston

From: Nicole Dei [nicole@piedmontlegal.com]
Sent: Wednesday, May 22, 2013 5:25 PM
To: Holston, Joy E.
Subject: RE: Patrick Bowie v. Woodbine Estates, LLC; Decision Rendered 4/22/2013; Honorable Eugene C. Griffith, Jr.

I put the check in the mail today.
Thanks.

-----Original Message-----

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Sent: Tuesday, May 07, 2013 11:22 PM
To: Nicole Dei
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Case No.: 2013-001064

Patrick Bowie

Respondent

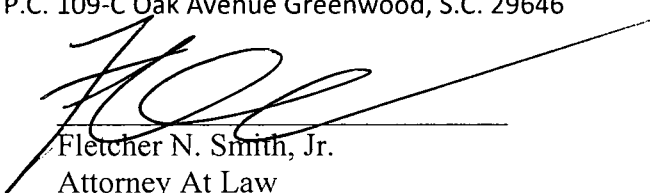
v.

Woodbine Estates

Appellant

PROOF OF SERVICE

I certify that I have served the Appellant's Reply to Respondent's Return to Appellant's Petition and or Order to Restore Appeal on R. Jamison Tinsely, by depositing a copy of it in the United States Mail, postage prepaid, on July 3, 2013 addressed to P.C. 109-C Oak Avenue Greenwood, S.C. 29646



Fletcher N. Smith, Jr.
Attorney At Law
112 Wakefield Street
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FLETCHER N. SMITH, LLC
ATTORNEY AT LAW



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112 WAKEFIELD STREET GREENVILLE, SOUTH CAROLINA 29601
(864) 232-6541 FAX (864) 232-6756

July 03, 2013

The Honorable Jenny Abbot Kitchings
Court of Appeals
Clerk of Court
PO Box 11629
Columbia, SC 29211

In Re: PATRICK BOWIE v. WOODBINE ESTATES, LLC
C.A. No.: Appellate Case No.: 2013-001064

Dear Clerk of Court Kitchings:

Please find enclosed the Original and six (6) copies of the Appellant's Reply to the Respondent's Return in this matter. Also enclosed is a Proof of Service.

Sincerely,


Fletcher N. Smith, Jr., Esq.

cc: Mr. R. Jamison Tinsley, Jr., Attorney for Respondent..

FNS/fns

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