

Oct. 5, 2023

The South Carolina Court of Appeals

Michael J. Wallace. Appellant.

v.

Kent N. Cunningham. Respondent.

Appellate Case No. 2023-000861

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OCT 11 2023

SC Court of Appeals

Trial Court Case No. 2022CP4301585

Comments on Order Filed Sep. 21, 2023

Time of Essence Notice: Demands; Consequence

Comment

As to the Order filed Sep. 21, 2023 I have no comment at this time except that you mis-constructed" a petition to rehear the dismissal."

Since there has been no hearing yet - how can there be a re hearing?

Time of Essence Notice

My records indicate that I filed the above listed case on May 15, 2023. This a 133 day per-

iod to today's date without a hearing. You are more than 90 days overdue and so I must demand that:

1. You ~~schedule~~ schedule my hearing and inform me within 10 days of the date of this letter to begin not later than 10 days afterward (20 days total).
No more stalling!
2. I want to check my file prior to or during the hearing for its completeness.
3. I want to attend or witness the hearing.

If you fail to satisfy these demands without stating a good reason, it will cause me to find you "In Default" and "In Breach of Contract" I then must pursue Civil Action against the State because of your failure, for the total relief requested in my appeal and trial court,

cc: S.C. Office of Court Administration
Alexander Atkinson Atty.

M. Wallace



South Carolina Judicial Branch

TRANSCRIPT REQUEST FORM *Quote only*

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 MICHAEL WALLACE	Law Firm/Agency SELF	Phone Number 803 428-8234	
Email Address NONE		Mailing Address 35 EDWARDS RD BISHOPVILLE, SC 29010	
Is the requestor a party in the case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, does the requestor represent a party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party			
Transcript Information			
Docket Number 2023-00861	Full Case Caption (i.e. State v. John Doe or John Smith v. Jane Smith) MICHAEL WALLACE V. KENT CUNNINGHAM		Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>
Date(s) of Proceeding ???	County RICHLAND	Appeal pending <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Death Penalty <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Presiding Judge ???	Special Circumstances Is the hearing to be transcribed one of the following: <input type="checkbox"/> Termination of parental rights <input type="checkbox"/> Adoption <input type="checkbox"/> Any actions involving child custody/visitation.		
Opposing Counsel(s) (name and email address) ATKINSON ALEXANDER W. ATKINSON ALEXANDER@SMITHROBINSONLAW.COM		Delivery Timeframe (check Rule 607 for current page rates) <input checked="" type="checkbox"/> Quote ONLY <input type="checkbox"/> Rough Draft <input type="checkbox"/> Overnight delivery <input type="checkbox"/> Daily delivery <input type="checkbox"/> Expedited delivery (7 days) Due on/before: <input checked="" type="checkbox"/> Regular delivery (60 days)	
Court Reporter(s)	<input type="checkbox"/> WebEx <input type="checkbox"/> DCRP	Delivery Method (additional fees may apply) <input type="checkbox"/> PDF / Email <input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping) <input type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)	
Portion of proceeding to be transcribed <input checked="" type="checkbox"/> Entire hearing <input type="checkbox"/> Voir dire by juror <input type="checkbox"/> Jury selection <input type="checkbox"/> Plaintiff's opening statement <input type="checkbox"/> Defendant's opening statement <input type="checkbox"/> Plaintiff's closing arguments <input type="checkbox"/> Defendant's closing arguments <input type="checkbox"/> Entire direct examination <input type="checkbox"/> Entire cross examination <input type="checkbox"/> Entire redirect <input type="checkbox"/> Examination of witness (W) by attorney (A) W: _____ A: _____ <input checked="" type="checkbox"/> Ruling of the court		Responsible Payor <input type="checkbox"/> Private / Self <input type="checkbox"/> Court Appointed Counsel Appeals Attorney Email <input type="checkbox"/> Other	
Next Hearing Date			

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Requestor's Signature: Michael Wallace Date: Oct 5, 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.

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In the State of South Carolina OCT 11 2023
In the Court of Appeals SC Court of Appeals

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Kent N. Cunningham,

Respondent,

Michael J. Wallace,

Appellant.

Proof of Service

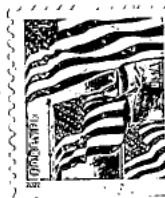
I certify that I have served this Time of Essence
and transcript request form
notice ^v by depositing a copy of it in the United
States Mail, postage prepaid on Oct. 5, 2023, address -
ed to:

Alexander W. Atkinson Atty.
126 N. Main St.
Sumter, S. Carolina 29151

Date: Oct. 5, 2023

s/ Michael J. Wallace
35 Edwards Rd.
Bishopville, S.C., 29010
(803) 428-8239
Pro Se Plaintiff / Appellant

Mr. Michael Wallace
35 Edwards Rd
Bishopville, SC 29010



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Columbia, S. Carolina 29211