

October 17, 2023

VIA EMAIL and US Mail
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

RECEIVED
Oct 17 2023
SC Court of Appeals

Re: Ryan and Karen Powell v. SB Municipal Custodian, et al.;
C.A. No.: 2023-CP-46-00607;
Appellate Case No.: 2023-00775.

Re: request for update on transcript

Dear Clerk,

On October 17, 2023, I received an email from Denesha M. Staley stating that the Court had not received any updated information on a second extension of time to produce the transcript for this appeal and also that the Court had not received Appellant's Initial Brief.

I was concerned about having not received the transcript by the expiration of Ms. Smith's (the Court reporter) first extension of time to produce the transcript. So I gave her the required 10 days time and then attempted to contact the Office of Court Administration to find out how I was suppose to handle this situation since the Rules are unclear.

I found that Tammie Holmes of the Office of Court Administration was the proper person to make an inquiry. So I emailed her asking what I was suppose to do in this case. A copy of her response to my email, is attached hereto. In her response she told me that Ms. Smith had indeed received a second extension order to produce the transcript. Neither Court Administration nor Ms. Smith communicated the fact of a second extension order to me or to the Court. I was under the impression that Ms. Smith was required to communicate that information to the parties and the Court of Appeals. I must have misunderstood whose responsibility that was.

I received the transcript from Ms. Smith on October 3, 2023. By my calculations Appellant's Initial Brief is due on or before November 2, 2023.

Sincerely,
Ryan Powell

Daniel Ballou,
P.O. Box 707,
Rock Hill, SC 29731
Attorney for Respondents

RE: Wilfull Failure to Provide Transcript for Appellate Case # 2023- 000775

From tholmes@sccourts.org <tholmes@sccourts.org>

To ryanpowell <ryanpowell607@proton.me>

Date Tuesday, September 26th, 2023 at 12:21 PM

Good afternoon Mr. Powell.

Ms. Smith did received a second extension for the matter is which you are discussing in your e-mail below.

LC Case No: 2023CP4600607B

Extension No: 1

Case Title 1: Ryan and Karen Powell

Case Title 2: SB Municipal

Extension Date: September 03, 2023

Date Entered: September 07, 2023

CC1: Morton Gettys

CC2: Court of Appeals

CC3: Krystal Smith

CC4:

CC5:

LC Case No: 2023CP4600607B

Extension No: 2

Case Title 1: Ryan and Karen Powell

Case Title 2: SB Municipal

Extension Date: October 03, 2023

Date Entered: September 07, 2023

CC1: Morton Gettys

CC2: Court of Appeals

CC3: Krystal Smith

CC4:

CC5:

Thank you.

Tammie M. Holmes