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Dec 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge
H. Steven DeBerry, Circuit Court Judge

Civil Case No. 2022-CP260-5492
Appellate Case No. 2023-001580

Rose Bernard,

Appellant

v.

Lucas Green; Aperture Investigations,

Respondent

MOTION TO MOVE FORWARD
DESPITE INACCURATE COURT TRANSCRIPTS

Rose Bernard
843-443-5825
830 Bay St., Apt. 2, Myrtle Beach, SC 29577
Pro Se Appellant

1) Pursuant Rule 207, lower court hearing transcripts had been ordered. Due to excessive inaccuracies, both court transcripts had been "challenged" on 11/15/23, as instructed by court reporter management. On 12/01/23, I was contacted by email stating no changes will be made to the transcript for January 2023 (see exhibit A1 & A2-court reporter manager email). At the time of this motion, no response for the September 2023 transcript challenge I requested has been received.

2) The lower court transcript inaccuracies consist of statements that were omitted, rearranged paragraphs from conversation topics, and the addition of unspoken statements or, in some instances, just individual words. For the most part, the inaccuracies favor both the presiding judges and the respondents' attorney while further displacing this appellant. Please see the 11/15/23 challenge requests that were filed with this court on 11/29/23.

3) One example: At the Sept. hearing, the judge asked the attorney that was present for the respondent, why he hadn't responded to my six interrogatory questions (from Feb). Instead of the simple question being asked, the transcript states the question in a winded manner mixed in with other concepts. The attorney then replied, "We didn't think it was legal". The transcript omits the response and states the attorney as saying that civil procedure wasn't being followed. It was the presiding judge that said I wasn't following civil procedure and that I didn't know what I was doing. Neither I, nor the attorney that was present made any similar remark.

4) Another obvious error, is that Mr. McCutchen, the attorney on record for the respondent, was not present at the Sept. 2023 hearing, but the transcript states that he was and has the presiding judge referencing to him by name repeatedly.

5) Other material issues that were exaggerated and said to be brought into court but weren't, could have an affect on my appeal. There is nothing further that I am able to do concerning the transcripts. Despite the inaccuracies and all of the associated disadvantages, this appeal should move forward.

Date: Dec. 12, 2023

Respectfully,

/s/ Rose Bernard

Rose Bernard
843-443-5825
830 Bay St., Apt. 2, Myrtle Beach, SC 29577
Pro Se Appellant



Miss RB B <b4ornot@gmail.com>

RE: TRANSCRIPT CHALLENGE

1 message

Holmes, Tammie <tholmes@sccourts.org>
To: Miss RB B <b4ornot@gmail.com>
Cc: "Fisher, Bobbi" <bfisher@sccourts.org>

Fri, Dec 1, 2023 at 5:16 PM

Good afternoon Ms. Bernard.

Thank you again for your patience. In response to your challenge to the accuracy of the transcript of the January 23, 2023 hearing presided over by Judge DeBerry, I have completed a review of the audio and the transcript. Upon my listening to the audio while simultaneously comparing it to the transcript, I found that the transcript is an accurate reflection of what occurred during the proceeding. I hope this puts a rest to your concerns about the accuracy of the transcript.

I will be reviewing the transcript challenge for the hearing dated September 6, 2023 presided over by Judge Culbertson on Monday, December 4, 2023 and have a written finding for you at that time.

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

EXHIBIT A1

From: Miss RB B <b4ornot@gmail.com>
Sent: Wednesday, November 15, 2023 11:31 PM
To: Holmes, Tammie <tholmes@sccourts.org>
Subject: TRANSCRIPT CHALLENGE

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

Hello Tammi Holmes,

Please see the attached two challenge requests. Thank you.

Rose Bernard

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

EXHIBIT A2

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PROOF OF SERVICE

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I confirm that I have served the Motion to Move Forward, the lower court hearing transcripts for Jan. and Sept. 2023 and the Transcript Challenges on Lucas Green; Aperture Investigations, by emailing a copy of the documents to his attorney of record, Luther O. McCutchen, thru his assistant J. G. Reynolds at [jgr@lawyersatthebeach.com](mailto:jgr@lawyersatthebeach.com), on Dec. 12, 2023.

Date: Dec. 12, 2023

/s/ Rose Bernard

Rose Bernard  
843-443-5825  
830 Bay St., Apt. 2, Myrtle Beach, SC 29577  
Pro Se Appellant