

Dennis D Waldrep
209 Amethyst Way
Seneca SC 29672

July 25, 2013

Ms. V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Mail and Fax to 803-734-1839

Re: Holtzclaw, Jerry d/b/a, v. Waldrep, Dennis
Appellate Case No. 2012-207852

Dear Ms. Allen:

Please accept this correspondence as response to the Order dated July 22, 2013 dismissing my appeal for failure to file proof of service for the Record of Appeal in this matter.

I apologize for confusion in this matter and want to advise the Court that of the following issues that are related to this Order.

1. I personally mailed the Record on Appeal to Mr. Hood, the Respondent's attorney on July 8, 2013 by the United States Postal Services with receipt of Delivery;
2. I have a confirmation of receipt of this package by Mr. Hood that was forwarded to this Court in that same package by using USPS and have the delivery from the Postal Service.
3. This indicates that Mr. Hood did in fact receive the Record on Appeal and I believe that I sent the required items to the Court in accordance with Rule 210.

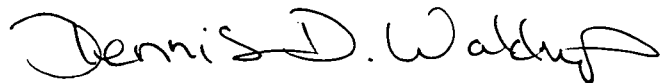
Additionally, Mr. Hood makes mention that the Record on appeal was not in compliance with the Rules and as such he is unable to prepare the final Brief. He does not elaborate on the nature of any failure to comply and the Order only indicates that the proof of service was not filed with the Court.

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SC Court of Appeals

I have attached the documents that were previously sent to the Court for your reference and review.

Thank you for your consideration.

Respectfully submitted.

A handwritten signature in black ink that reads "Dennis D. Waldrep". The signature is written in a cursive style with a large, looping initial "D" and a long, sweeping underline.

Dennis D Waldrep

cc: William Hood

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

R. Lawton McIntosh Circuit (10th) Court Judge

Case No: 2012-207852

July 8, 2013

JERRY HOLTZCLAW, d/b/a
GREEN THUMB LANDSCAPE &
IRRIGATION

Respondent

v

DENNIS WALDREP

Appellant

RECORD ON APPEAL

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SC Court of Appeals

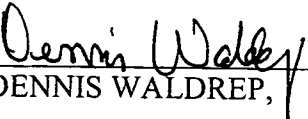
Dennis Waldrep
209 Amethyst Way
Seneca, SC 29672
Proceeding Pro Se

DOCUMENTS

1. Trial transcript of trial Court
2. Transcript of motion for reconsideration of trial Court
3. Transcript of lower court testimony of expert Steven Jordan
4. Initial Brief of Appellant Dennis Waldrep
5. Reply Brief of Appellant Denis Waldrep
6. Designation of Matter
7. List of cases and items to be included in the Record
8. Green Thumb Landscaping and Irrigation Retaining Walls/Landscape Contract dated:
8/13/06
9. "Scope of Work" documents unsigned and undated
10. Designation of Matter of Appellant to be included in Record on appeal
11. Designation of Matter of Respondent to be included in Record on appeal

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,


DENNIS WALDREP, APPELLANT

cc: William C. Hood

CASES

Melton v. Olenik SC Opinion No.4418 (2008)

Orlando v. Boyd 320 S.C. 509, 466 S.E.2d 353 (1996)

Patel v. Patel 359 S.C. 515, 599 S.E.2d 114 (2004)

State v. Adams, 354 S.C. 361, 580 S.E.2d 785 (Ct. App. 2003)

State v. Gracely, 399 S.C. 363, 731 S.E.2d 880 (2012)

Small v. Mungo 254 S.C. 438, 175 S.E.2d 802 (1970)

State v. Wiener, 399 S.C. 547, 732 S.E.2d 861 (2012)

STATUTES

South Carolina Rules of Professional Conduct

Rule 1.1 Competence

Rule 1.3 Diligence

Rule 1.18 Duties to Prospective client

Rule 201

Section 3 Rule 15

South Carolina Rules of Civil Procedure

OTHER AUTHORITIES

South Carolina Lawyers Weekly No. 001-012-08 Rule 403 SCRE

Pursuant to Section 210 of the South Carolina Rules of Appellate Procedure the following is a list of cases, documents and related items put forth by the Appellant on Appeal.

ORDERS and FILED DOCUMENTS

Letter regarding Order of the Trial Court from by Judge Lawton McIntosh Dated July 7, 2011

Order of the Trial Court on the Motion for Reconsideration dated July 22, 2011

Complaint filed by the Plaintiff

Answer and Counterclaim filed by the Defendant/Appellant

Exhibits introduced at Trial of this matter

Exhibits to appellants Brief

Exhibit "A"

Exhibit "B"

Exhibit "C"

Exhibit "D"

Exhibit "E"

Exhibit "F"

Exhibit "G"

Exhibit "H"

Exhibit "I"

Exhibit "J"

Exhibit "K"

Exhibit "N"

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2012-207852

Jerry Holtzclaw, dba
Green Thumb Landscape
& Irrigation

Respondent,

v.

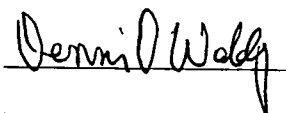
Dennis D. Waldrep,

Appellant.

PROOF OF SERVICE

I certify that I have served the Reply Brief by USPS to the Attorney of record, William C. Hood,
505 N. McDuffie Street, Anderson, South Carolina 29621

July 8, 2013



Dennis Waldrep
209 Amethyst Way
Seneca, South Carolina 29672
(864) 230-4020

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SC Court of Appeals

CC: WILLIAM C HOOD

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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
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