

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM THE NINTH CIRCUIT COURT OF COMMON PLEAS  
THE HONORABLE JULIE J. ARMSTRONG and THE HONORABLE BENTLEY D. PRICE  
IN CHARLESTON COUNTY  
TRIAL CASE NO.: 2022CP1041411

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APPELLATE CASE NO.: 2023-001924

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JAMES G. BLOCKER.....Respondent/Plaintiff,  
v.  
BASEM AL KHTAEBEH.....Appellant/Defendant.

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MOTION TO RECONSIDER/FOR REHEARING

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Appellant does hereby move/petition the Honorable South Carolina Court of Appeals for an Order to Reinstate its Appeal pursuant to SCACR 221 for good cause shown as follows. This appeal was timely filed December 13, 2023. Appellant through his undersigned counsel sent correspondence to the Court Reporter requesting an estimate of the cost of the transcript from the hearing on August 14, 2023, a copy of which was previously filed with the Court. Appellant’s counsel became sidetracked attending to his Mother, as an only child, until her demise on December 26, 2023, and thereafter until her interment on December 31, 2023. Thereafter, Appellant’s counsel was grieving for his late Mother, and did not return to work until January 21, 2024. During this time, I believe I had asked my law clerk to follow up on the request, but he apparently did not. He is preparing for the Bar exam. Appellant’s counsel’s wife/law partner contracted Covid, which was spread to their shared paralegal. The Covid test confirming the source of the illness was January 27,

2024. Ms. Swope normally manages the firm email. As she was very sick, the Court's email of January 30, 2024 was received but not discovered by me until the Order of February 13, 2024 was communicated. In compliance with this Court's prior Order, I timely submitted a transcript request form on March 1, 2024, a copy of which is attached hereto as Exhibit "A". Apparently, this document was not filed with the Court. I thought I had included the Court's filing email with the request. I apologize for this oversight, and ask this Honorable not punish my client for my firm's personal difficulties, and believe this demonstrates "good cause" shown.

Mr. Hershon is co-counsel, simply as a result of not being relived as counsel in the Common Pleas phase of the action. We had discussed his seeking to be relieved at the Appellate Court level.

Respectfully submitted,

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Charleston, SC  
February 19, 2024

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# South Carolina Judicial Branch

## TRANSCRIPT REQUEST FORM

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](mailto:transcripts@sccourts.org). If WebEx or DCRP were used to capture the record, please indicate below and send the form to [transcripts@sccourts.org](mailto:transcripts@sccourts.org).

Requestor's Information		
Full Name <b>William Swope</b>	Law Firm/Agency <b>Swope Law Firm</b>	Phone Number <b>(843) 810-3052</b>
Email Address <b>Wkswope@gmail.com</b>	Mailing Address <b>1525 Sam Rittenberg Rd, Charleston, SC 29407</b>	
Is the requestor a party in the case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If no, does the requestor represent a party? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party		
Transcript Information		
Docket Number <b>2022-CP-10-04068</b>	Full Case Caption (i.e. State v. John Doe or John Smith v. Jane Smith) <b>Tammy Moore v. Basem Al Khatib</b>	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>
Date(s) of Proceeding <b>August 4th, 2023</b>	County <b>Charleston</b>	Appeal pending <input type="checkbox"/> Yes <input type="checkbox"/> No
Presiding Judge <b>Bentley Do Price</b>	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) <b>Barry Krell (barry@uricchio.com)</b>	Delivery Timeframe (check Rule 607 for current page rates) <input checked="" type="checkbox"/> Quote <input type="checkbox"/> Rough Draft <input type="checkbox"/> Overnight delivery <input type="checkbox"/> Daily delivery <input checked="" type="checkbox"/> Expedited delivery (7 days) <b>Due on/before:</b> <input type="checkbox"/> Regular delivery (60 days)	
Court Reporter(s) <b>Cathy Lo Young</b>	<input type="checkbox"/> WebEx <input type="checkbox"/> DCRP	
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: _____	Delivery Method (additional fees may apply) <input checked="" type="checkbox"/> PDF / Email <input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping) <input type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)	
<input type="checkbox"/> Ruling of the court	Responsible Payor <input checked="" type="checkbox"/> Private / Self <input type="checkbox"/> Court Appointed Counsel Appeals Attorney Email <input type="checkbox"/> Other	
Next Hearing Date <b>Not yet set</b>		

Unit 208

Jo Deveau  
STOcken  
deveau@uricchio.com

Requestor's Signature: William Swope Date: 3/1/24  
(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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PROOF OF SERVICE

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On this 22ND day of March, 2024, I, William K. Swope, Esquire, of the Swope Law Firm, P.A., did hereby serve an original Motion to Reinstate Appeal on the Honorable Clerk of the South Carolina Court of Appeals and all counsel of record at the following addresses, respectively.

Respectfully submitted,

SWOPE LAW FIRM, P.A.

S/William K. Swope

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Attorney for Appellant/Defendant

Charleston, SC

March 22, 2024

The Hon. Jenny Abbott Kitchings (Via Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))  
Clerk of Court  
S.C. Court of Appeals  
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Columbia, SC 29211

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